

2025:PHHC:045355



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**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

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**CWP-9486-2025**

**Date of Decision: 03.04.2025**

Kashmir Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE HARSH BUNGER**

Present: Mr. N.P.S. Mann, Advocate  
for the petitioner.

Mr. Navneet Singh, Senior DAG, Punjab.

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**HARSH BUNGER J. (ORAL)**

The instant writ petition has been filed under Articles 226/227 of the Constitution of India, *inter alia*, seeking a writ in the nature of Mandamus for directing official respondents No.1 to 4 to take action against respondents No.5 to 8 under the provisions of Section 20 of the Punjab Panchayati Raj Act, 1994 (in short 'the 1994 Act), for not attending the meetings of Gram Panchayat and for working against the interests of Gram Panchayat.

2. Briefly, the petitioner is stated to have been elected as Sarpanch

of Gram Panchayat, Dharmuchak, Block Tarsika, District Amritsar, along with, seven other Panches; in the general election of Gram Panchayat held in the State of Punjab on 15.10.2024.

2.1 Petitioner claims that after taking the charge of Gram Panchayat, Dharmuchak on 01.12.2024, she issued agenda notices dated 05.12.2024 (Annexures P-1 to P-4) to all the members of Gram Panchayat by stating that the meeting of Gram Panchayat will be held on 09.12.2024 at 10:00 A.M. in the Government Elementary School of the Village, for discussing the development works of the village and other issues. The said agenda notices were sent to the members of Gram Panchayat, i.e. respondents No.5 to 8, by hand through Chowkidar Amrik Singh, however, they refused to receive the same. It is stated that as respondents No.5 to 8 remained absent in the meeting of Gram Panchayat on 09.12.2024, accordingly, it was adjourned due to lack of quorum and a copy of resolution dated 09.12.2024 (Annexure P-5) was forwarded to the Block Development and Panchayat Officer, Tarsika (respondent No.4). Thereafter, petitioner again sent agenda notices (Annexures P-6 to P-9) to the members of Gram Panchayat (respondents No.5 to 8) on 10.01.2025 by stating that the meeting of Gram Panchayat will be held on 17.01.2025 at 11:00 A.M. in the Government Elementary School of the Village, but respondents No.5 to 7 refused to receive the said notices; and as respondents No.5 to 8 remained absent in the meeting of Gram Panchayat on 17.01.2025, as well, therefore, the meeting was again adjourned and a copy of resolution dated 17.01.2025 (Annexure P-10) was forwarded to the Block Development and Panchayat Officer, Tarsika (respondent No.4). Similar agenda notices (Annexures P-11 to P-14) were again sent by the petitioner on 20.01.2025 to the members of

Gram Panchayat (respondents No.5 to 8), stating therein that the meeting of Gram Panchayat will be held on 28.01.2025 at 10:00 A.M. in the Government Elementary School of the Village, however, respondents No.5 to 7 again refused to receive the same and due to the absence of respondents No.5 to 8 in the meeting, it was adjourned and a copy of resolution dated 28.01.2025 (Annexure P-15) was forwarded to the Block Development and Panchayat Officer, Tarsika (respondent No.4). Another agenda notices (Annexures P-16 to P-19) are stated to have been sent by the petitioner on 27.02.2025 to the members of Gram Panchayat (respondents No.5 to 8), stating that the meeting of Gram Panchayat will be held on 06.03.2025 at 10:00 A.M. in the Government Elementary School of the Village, however, respondents No.5 to 8 again refused to receive the same and due to their absence in the meeting, it was adjourned and a copy of the resolution dated 06.03.2025 (Annexure P-20) was forwarded to the Block Development and Panchayat Officer, Tarsika (respondent No.4).

2.2 Petitioner herein states that instead of recommending action under Section 20 of the 1994 Act, against respondents No.5 to 8, the Block Development and Panchayat Officer, Tarsika (respondent No.4) sent letter dated 30.12.2024 (Annexure P-21) to the petitioner, as regards the appointment of Administrator in the Gram Panchayat, Dharmuchak.

2.3 It is further stated by the petitioner that she had also submitted written complaint dated on 09.01.2025 (Annexure P-22) against respondents No.5 to 8, followed by another such complaint dated 07.02.2025 (Annexure P-23), however, instead of taking action against the said respondents No. 5 to 8, the District Development and Panchayat Officer, Amritsar, issued notice under Section 200 of the 1994 Act, dated 28.02.2025,

(Annexure P-24) to all the members of Gram Panchayat, Dharmuchak, calling upon them in his Office on 17.03.2025, for initiating proceedings as regards the appointment of Administrator of Gram Panchayat, Dharmuchak.

2.4 Petitioner claims that the aforesaid action has been taken by the authorities under political pressure and the procedure under Section 20 of the 1994 Act has not been followed.

2.5 It is accordingly prayed that appropriate directions be issued to the official respondents No.1 to 4 to take action under Section 20 of the 1994 Act against respondents No.5 to 8; and further not to proceed for appointment of the Administrator of Gram Panchayat, Dharmuchak, under Section 200 *ibid*.

3. Mr. Navneet Singh, Senior Deputy Advocate General, Punjab appears on behalf of the respondents-State, in pursuance of the advance copy of paper book having already been supplied to him, and informs the Court that Administrator for Gram Panchayat, Dharmuchak, already stands appointed. It is further stated that in case the petitioner is aggrieved against the said appointment then she may avail her efficacious remedy under Section 201 of the 1994. Accordingly, prayer for dismissal of the instant writ petition has been made.

4. At this stage, learned counsel for the petitioner submits that as regards the issue of appointment of Administrator of Gram Panchayat, Dharmuchak is concerned, the petitioner would avail her remedy under Section 201 of the 1994 Act; however, her prayer for directing the official respondents No.1 to 4 to take action against respondents No.5 to 8 may be considered.

5. I have considered the aforesaid submissions made by learned

counsel for the petitioner and have also gone through the paper book.

6. A perusal of the vernacular copies of agenda notices (Annexures P-1 to P-4) for the meeting scheduled for 09.12.2024 would show that said notices have been issued on 09.12.2024 itself. Similarly, as regards the agenda notices (Annexures P-6 to P-9) for the meeting scheduled for 17.01.2025, the said notices are stated to have been issued on 17.01.2025 itself. Likewise, as regards the agenda notices (Annexures P-11 to P-14) for the meeting scheduled for 28.01.2025, the same are stated to have been issued on 28.01.2025 itself. Even the agenda notices (Annexures P-16 to P-19) for the meeting scheduled for 06.03.2025, are shown to be issued on 06.03.2025 itself.

6.1 Here, it would be apposite to refer to Section 23 of the 1994 Act, which reads as under:-

**“23. Meeting of Gram Panchayat.--** (1) *The meeting of the Gram Panchayat shall be public and shall be held at least once a month at the office of the Gram Panchayat or at some other public place within the Gram Sabha area for which it is established and at such time and date as the Sarpanch may determine and notify.*

(2) *The Sarpanch, when required in writing by a majority of the Panches to call a special meeting, shall do so within three days failing which these Panches, shall, with the previous approval of the prescribed authority, be entitled to call a meeting after giving a week's notice through the Panchayat Secretary to the Sarpanch and the other Panches.*

(3) *Seven clear days' notice of an ordinary meeting and three days' clear notice of a special meeting specifying the place, date and time of such meeting and the business to be transacted thereat, shall be given by the Secretary to the Panches and such officers as the State Government may prescribe, and affixed on the notice board of the Gram*

*Panchayats.”*

6.2 A perusal of the above extracted Section 23 of the 1994 Act would show that clear seven days notice is required for an ordinary meeting and clear three days notice is required for a special meeting, specifying the place, date and time of such meeting and the business to be transacted thereat. However, the agenda notices in the instant case, as referred above, have not been issued in compliance of the provisions as contained in Sub Section 3 of Section 23 of the 1994 Act, and therefore, the same cannot be said to be the valid notices.

6.3 In this view of the matter, as valid notices for the scheduled meetings have not been issued upon respondents No.5 to 8, accordingly, there is no occasion for initiating any action against them by the authorities.

7. Resultantly, the present writ petition is dismissed, being bereft of any merit.

8. All pending application(s), if any, shall also stand closed.

**03.04.2025**

*Apurva*

**(HARSH BUNGER)  
JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No