

**Court No. - 29**

**Case :-** WRIT - C No. - 28189 of 2024

**Petitioner :-** Prakash Narayan And 3 Others

**Respondent :-** State Of Up And 3 Others

**Counsel for Petitioner :-** Aklank Kumar Jain

**Counsel for Respondent :-** C.S.C.

**Hon'ble Mahesh Chandra Tripathi,J.**

**Hon'ble Prashant Kumar,J.**

1. Heard Sri Aklank Kumar Jain, learned counsel for the petitioners and Sri F.A. Ansari, learned Standing Counsel for the State-respondents.

2. The writ petition is preferred for a direction to the District Magistrate, Lalitpur to consider and decide the application under Section 95(1) (g) of the U.P. Panchayat Raj Act, 1947 dated 02-02-2024 in accordance with law withing a period of time specified by this Hon'ble Court.

3. The petitioners, residents of Village Jarya in District Lalitpur, have filed a writ petition against respondent No. 4, the Pradhan of their village, alleging severe misconduct and corruption. They claim that the Pradhan's family members, specifically her five brothers-in-law, have illegally obtained multiple "MANREGA" job cards and withdrawn Rs. 2,00,000 without performing any work, violating rules that limit one job card per family and a maximum withdrawal of Rs. 20,000. Despite repeatedly approaching authorities and filing a writ petition in this Hon'ble Court, directing them to seek remedy under Section 95(1)(g) of the Act, 1947, no action has been taken against the Pradhan. The petitioners contend that the Pradhan is misusing public funds, failing to perform her duties, and continuing to abuse her position.

4. Learned Standing Counsel raised an objection that the U.P. Panchayat Raj Act, 1947 and the rules framed thereunder provides exhaustive procedure to make a complaint against the sitting Pradhan. In case any such application is moved in accordance with law and on the notarized affidavit, definitely the same would be processed in accordance with law.

5. Considering the factual situation, we are not inclined to keep the matter pending and with the consent of the parties, the instant writ petition is ***disposed of*** with an observation that in case the application dated 02-02-2024 is strictly in accordance with law, needless to say the proceedings must be finalised in accordance with the provisions of the U.P. Panchayat Raj Act, 1947. Needless to say that we have not adverted anything on the merits of the case.

**Order Date :-** 4.9.2024

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