

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

CWP No.25376 of 2014(O&M)

Date of Decision:-27.03.2015

Balesh

.....Petitioner.

Versus

State of Haryana & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Narinder Pal Bhardwaj, Advocate for
non applicant/Petitioner.

Mr. Sandeep S. Mann, Sr. DAG Haryana
for respondent nos.1 to 4.

Mr. Vikram Singh, Advocate for applicant/respondent no.5.

JASWANT SINGH, J.(ORAL)

CM No.3406 of 2015

The present application has been filed by the applicant/respondent no.5-Sarpanch seeking preponement of the date of hearing from 1.5.2015 as also for placing on record his written statement on record.

Notice of the application was given to the counsel for non applicant for today.

At the time of hearing today, learned Counsel for the parties have no objection to the preponement of the date of hearing of the main case as also filing of the written statement.

CM is allowed. Date of hearing of main case is preponed from 01.05.2015 and taken up today itself.

CWP No.25376 of 2014

The complainant has filed the aforementioned application challenging the order dated 3.12.2014 Annexure P-1 passed by the Deputy Commissioner, Karnal whereby Krishan Lal-Sarpanch/respondent no.5 has been reinstated after withdrawing the previous order.

After hearing counsel for the parties I find no perversity in the impugned order P-1. It is conceded that the respondent-Sarpanch was suspended vide order dated 10.09.2014 on the ground of pendency of FIR No.717 dated 30.07.2014, P.S. City Karnal registered against him under Sections 342, 366, 376 of Indian Penal Code. It is a matter of record that the learned Additional Sessions Judge, Karnal vide judgment dated 13.11.2014 has honourably acquitted the accused Sarpanch and directed the initiation of proceedings against the prosecutrix for perjury. Armed with the said acquittal the Sarpanch represented before the Deputy Commissioner, Karnal, who vide the impugned order has reinstated since the basis of suspension had since been removed. The argument that a regular enquiry is pending would have no effect at this stage regarding suspension. After the conclusion of the same, the authorities would take appropriate action in accordance with law.

In view of the above, present writ petition is dismissed.

(JASWANT SINGH)
JUDGE

March 27, 2015
Vinay