

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

Civil Writ Petition No.6627 of 2014

Date of Decision: 23.03.2015

Akvinder Singh

..... Petitioner

Vs.

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. S.K.Rana, Advocate for the petitioner/complainant.

Mr. Shivendra Swaroop, AAG, Haryana
for respondent Nos.1 and 2 along with
Mr. R.K.Singh, Sub Divisional Magistrate, Kaithal.

Mr. Rakesh Gupta, Advocate for respondent No.3.

JASWANT SINGH, J. (Oral)

The petitioner/complainant-Akvinder Singh has filed the present writ petition impugning the order dated 11.02.2014 (**Annexure P-1**), passed by the Principal Secretary, Development & Panchayats Department, Government of Haryana, whereby the appeal of the Sarpanch/respondent No.3 against his suspension order dated 01.07.2013 (**Annexure P-2**), passed by the Deputy Commissioner, Kaithal has been allowed and his suspension order has been set aside with the direction to the Deputy Commissioner, Kaithal to conduct a fresh fact finding enquiry.

At the time of hearing today, it is submitted that the Deputy Commissioner, Kaithal while passing the suspension order dated 01.07.2013

(P-2) had also ordered a regular enquiry against the Sarpanch. However, in view of the appellate order dated 11.02.2014 (P-1), the regular enquiry was kept in abeyance and a fresh enquiry conducted by the Addl. Deputy Commissioner, Kaithal.

Learned State Counsel, on instructions from S.D.M., Kaithal, contends that the said Officer has now submitted a report dated 17.03.2015, wherein some of the allegations against the Sarpanch have been found to be correct. In view of the same, he submits that a fresh order would soon be passed by the Deputy Commissioner, Kaithal regarding suspension as well as continuation of regular enquiry. Hence, nothing more is required to be adjudicated in the instant writ petition.

Learned Counsel for the petitioner is unable to dispute the factual position.

It is apparent that some of the allegations of the petitioner/complainant against the Sarpanch have been *prima facie* vindicated by the fresh fact finding report dated 17.03.2015 submitted in terms of the impugned order dated 11.02.2014 (P-1) and as per the stand of the respondents, decision regarding suspension would soon be taken, it is evident that the grievance of the petitioner has been redressed.

Accordingly in view of the above, the writ petition is disposed of as infructuous.

March 23, 2015
Gagan

(JASWANT SINGH)
JUDGE