

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

**Civil Writ Petition No. 16755 of 2016
Date of Decision: 19.8.2016**

Suraj Bhan

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Baldev S. Sidhu, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Instant writ petition is directed against the order dated 3.8.2016 (Annexure P-1) passed by the Secretary to Government of Punjab, Rural Development & Panchayat Department-respondent No.1, which is an interim order passed during the pendency of the appeal filed by respondent No.5.

Heard learned counsel for the petitioner.

It is a matter of record that petitioner was placed under suspension vide order dated 17.12.2015. He filed his appeal against the said suspension order, which came to be dismissed by the appellate authority vide order dated 16.6.2016 (Annexure P-5). In the meantime, regular enquiry came to be concluded in favour of the petitioner. When the matter was taken up by the Director, Rural Development and Panchayats, Punjab-

respondent No.2, petitioner appeared before him on 31.5.2016 and stated that since his appeal is pending before the Government, case regarding his suspension may be kept in abeyance till the decision of his appeal. However, when petitioner appeared before the Director again on 12.7.2016, he kept conveniently silent about the order dated 16.6.2016 (Annexure P-5), whereby his appeal was dismissed by the appellate authority. There is not even a passing reference about order dated 16.6.2016 in the order dated 13.7.2016 passed by the Director.

Feeling aggrieved, respondent No.5 filed his appeal before the appellate authority against the abovesaid order dated 13.7.2016. Both the parties were heard on the stay application. After hearing learned counsel for the parties, appellate authority stayed the order dated 13.7.2016 vide impugned interim order dated 3.8.2016 (Annexure P-1), against which the present writ petition has been filed.

If the interim order Annexure P-1 is set aside by this Court, the statutory appeal filed by respondent No.5 would be rendered infructuous. Further, petitioner has not been found entitled for any discretionary relief at the hands of this Court, because of his conduct which is reflected from a bare reading of order dated 13.7.2016 (Annexure P-2) and particularly observations made at page 23 of the paper book.

During the course of hearing, learned counsel for the petitioner could not point out any patent illegality or perversity in the impugned order. No prejudice of any kind, whatsoever, has been shown to have been caused to the petitioner by passing the impugned order Annexure P-1. In this view of the matter, it can be safely concluded that the impugned order deserves to be upheld.

No other argument was raised.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned, this Court is of the considered view that present writ petition is wholly misconceived, bereft of merit and without any substance, thus, it must fail. No case for interference has been made out.

Resultantly, with the abovesaid observations made, instant writ petition stands dismissed, however, with no orders as to costs.

(RAMESHWAR SINGH MALIK)
JUDGE

19.8.2016

Ak Sharma

Whether speaking/reasoned Yes/No

Whether reportable: Yes/No