

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

**CWP No.21352 of 2016
Date of decision: 07.10.2016**

Hasan

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Ravinder Hooda, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK, J. (ORAL)

Present writ petition is directed against the impugned appellate order dated 20.09.2016 (Annexure P-9) passed by the appellate authority i.e. Additional Chief Secretary to Govt. of Haryana, Development and Panchayats Department, whereby appeal of respondent No.3-Sarpanch against her suspension order passed by Deputy Commissioner was allowed, remanding the case back to the Deputy Commissioner to pass fresh order, after granting appropriate opportunity of personal hearing.

Heard learned counsel for the petitioner.

Petitioner claims to be complainant. A bare reading of the impugned order passed by respondent No.1 would make it crystal clear that no prejudice, of any kind whatsoever, is going to be caused to the petitioner, due to passing the impugned remand order. Learned appellate authority has directed the Deputy Commissioner to grant proper opportunity of personal hearing to respondent No.3 and thereafter, pass an appropriate order in accordance with law.

It goes without saying that the Deputy Commissioner-respondent No.2 shall comply with the impugned order passed by respondent No.1. He shall grant an opportunity of being heard to respondent No.3. After granting opportunity of personal hearing to the parties, Deputy Commissioner shall pass a fresh order at an early date, however, strictly in accordance with law. Having said that, this Court feels no hesitation to conclude that since no prejudice, of any kind whatsoever, has been caused to the petitioner, present writ petition is wholly misconceived.

No other argument was raised.

In view of what has been noticed hereinabove, no case for interference has been made out.

Dismissed.

[RAMESHWAR SINGH MALIK]
JUDGE

07.10.2016

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No