

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

**CWP No.22609 of 2016
Date of decision: 27.10.2016**

Parminder Kaur Sarpanch

... Petitioner

Vs.

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Vinod Bhardwaj, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK, J. (ORAL)

Feeling aggrieved against the alleged inaction on the part of respondent authorities, petitioner has approached this Court, by way of present writ petition under Article 226/227 of the Constitution of India, seeking a writ in the nature of mandamus.

Learned counsel for the petitioner submits that statutory appeal of the petitioner against the suspension order dated 16.09.2016 (Annexure P-1) is already pending consideration before respondent No.1. He further submits that although the petitioner filed her appeal, making a prayer therein for interim order, yet no order qua stay was passed by the appellate authority either on the first date of hearing or on the next date of hearing. He also submits that now the appeal of the petitioner is listed before respondent No.1 for 22.11.2016.

Under the abovesaid circumstances, learned counsel for the petitioner submits that he intends to restrict his prayer only to this limited extent that operation of the impugned suspension order may be ordered to be stayed

till the appeal filed by the petitioner is decided by respondent No.1, failing which very purpose of filing the statutory appeal by the petitioner, would be defeated.

Having heard the learned counsel for the petitioner and without commenting anything on merits of the case, lest it should prejudice the rights of either of the parties, present writ petition is disposed of, with a direction to the appellate authority-respondent No.1 to consider and decide the appeal of the petitioner at an early date, by passing an appropriate order thereon, however, strictly in accordance with law but in any case within a period of three months from the date of receipt of certified copy of this order.

However, keeping in view the abovesaid peculiar facts and circumstances of the case, it is directed that till the appropriate order in the appeal filed by the petitioner is passed by respondent No.1, operation of the suspension order dated 16.09.2016 (Annexure P-1) shall remain stayed.

With the abovesaid observations made and directions issued, instant writ petition stands disposed of.

27.10.2016
vishnu

[RAMESHWAR SINGH MALIK]
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No