

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

**CWP No.23293 of 2016  
Date of decision: 10.11.2016**

**Gurdial Singh**

**... Petitioner**

**Vs.**

**State of Punjab and others**

**... Respondents**

**CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK**

Present: Mr. N.P.S. Mann, Advocate  
for the petitioner.

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**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 against the suspension order dated 23.06.2016 (Annexure P-4), statutory appeal of the petitioner is pending before the appellate authority-respondent No.1. He refers to numerous zimini orders, pointed out in para Nos.7 to 11 of the writ petition, to contend that either the Presiding Officer would not hold the Court or whenever matter is taken up, it would be adjourned. Right from 07.09.2016 till date, said appeal of the petitioner has not been considered by the appellate authority, thereby causing a serious prejudice to the petitioner. He further submits that petitioner will be satisfied in case respondent No.1 is directed to

consider and decide the appeal of the petitioner within a reasonable time and till then, order of suspension of the petitioner may be ordered to be kept in abeyance.

Having heard the learned counsel for the petitioner at some length and without expressing any opinion 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 Secretary, Department of Rural Development and Panchayats, SAS Nagar (Mohali)-respondent No.1, being the appellate authority, to look into the matter, consider the grievance of the petitioner and decide his statutory appeal at an early date, by passing an appropriate order thereon, 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 peculiar facts and circumstances of the case noticed hereinabove and also to ensure that statutory appeal of the petitioner may not be rendered infructuous, it is directed that till the statutory appeal of the petitioner is decided by the appellate authority-respondent No.1, operation of the suspension order dated 23.06.2016 (Annexure P-4) shall remain stayed.

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

**[ RAMESHWAR SINGH MALIK ]**  
**JUDGE**

10.11.2016  
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Whether speaking/reasoned Yes/No

Whether reportable Yes/No