

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

CWP No. 7472 of 2016
Date of decision: 25.04.2016

Gulzar Singh & another

....Petitioner

Versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH
DHALIWAL**

Present: Mr. Manish Joshi, Advocate,
for the petitioners.

Paramjeet Singh Dhaliwal, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the order dated 04.02.2016 (Annexure P-11), passed by respondent No. 3 and for upholding the order dated 23.12.2015 (Annexure P-6) passed by respondent No.2.

I have heard learned counsel for the petitioner and perused the paper-book.

Suspension of respondent No. 5 has been revoked vide impugned order dated 04.02.2016 (Annexure P-11) and he has been reinstated by the appellate authority by observing as under:-

“After hearing the arguments of the parties, I am on the conclusion that field officer has not sent any report to the Director in which they recommended the suspension of the

appellant. The appellant is duly elected person and he must be suspended only on the allegation which falls under the Section 20 (4) or 208 under the Act. Even appellant has produced the copy of letter No. 103 dated 22.01.2016 of Block Development & Panchayat Officer, Derabassi which has been sent to Deputy Commissioner, SAS Nagar in which he reported that on support feed has been removed and the land is clear. Therefore, under these circumstances, the suspension of the appellant from the post of the Sarpanch is not worth. Therefore, by accepted the appeal of appellant he reinstated on the post of Sarpanch.”

In view of above, I do not find any illegality or perversity in the impugned order dated 04.02.2016 (Annexure P-11). This Court cannot re-appreciate the evidence, which has been considered by the competent authority. Otherwise also findings of fact have been recorded by the concerned authority.

Dismissed.

25.04.2016

PA

(Paramjeet Singh Dhaliwal)
Judge