

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

CWP No.15250 of 2017

Date of Order: 06.11.2017

Balbir Singh Pehal

....Petitioner

Versus

State of Haryana and Ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr. Jagdish Manchanda, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Mr. Robin Singh, Advocate for respondent No.5.

RAKESH KUMAR JAIN, J (ORAL)

This petition is filed for seeking direction to respondent No.3 for taking necessary action in accordance with law against respondent No.5- Sarpanch who had contested the election for the said post on fake Matriculation Certificate and holding inquiry for embezzlement of panchayat funds amounting to ₹42,24,348/-.

It is submitted that earlier respondent No.5 was placed under suspension but the said order has been set aside on appeal and the matter was remanded back to the Deputy Commissioner, Sonapat to pass necessary orders. The Deputy Commissioner has ordered for regular inquiry. It is further submitted that the said regular inquiry has been over but in the reply filed by the respondents it is averred that the regular inquiry is near completion.

I have heard learned counsel for the parties and after examining

the record, am of the considered opinion that since the allegations levelled against respondent No.5 are quite serious in nature, therefore, the Deputy Commissioner, Sonapat-respondent No.3 cannot sit over this matter as it is required to be decided one way or the other much less after the completion of regular inquiry.

Thus, present petition is allowed and direction is issued to respondent No.3 to pass appropriate orders in accordance with law in case the regular inquiry is over. Needful shall be done within a period of two weeks from the receipt of certified copy of this order.

November 06, 2017
manoj

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable : Yes/No