

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.919 of 2017
Date of decision:19.01.2017

Smt. Nirmala Devi

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. S.S.Mor, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

The petitioner is aggrieved of the non-consideration of the interim application filed along with appeal by availing remedy under Sections 51(5) of Haryana Panchayati Raj Act, 1994, whereby, the appeal against the removal is stated to be pending.

Mr.S.S.Mor, learned counsel appearing on behalf of the petitioner submits that removal order is dated 09.01.2017. The appeal along with interim application challenging the aforesaid order was stated to be filed on 10.01.2017. On the said date, the matter was adjourned to 13.01.2017, 17.01.2017 and ultimately adjourned to 31.01.2017, whereas, the meeting was scheduled to be held on 20.01.2017 for the nomination of the Sarpanch amongst the Panches. The claim of the petitioner is rendered remediless. It is in this background of the matter, the petitioner has been

constrained to seek vindication of grievance by filing the present writ petition.

Notice of motion.

On asking of the Court, Mr. Sandeep Singh Mann, learned Senior Deputy Advocate General, Haryana accepts notice on behalf of the respondents-State.

Learned counsel for the petitioner is directed to hand over the requisite copies of the writ paper book to the learned State Counsel during the course of day.

Keeping in view the fact that appeal (Annexure P-4) and interim application (Annexure P-5) are stated to be pending before the Financial Commissioner and Principal Secretary to Government of Haryana, Department of Rural Development and Panchayats, Haryana, Chandigarh, he is directed to consider the ex parte interim application on 20.01.2017 at 10.30 a.m as the petitioner is being left in lurch, in view of the fact that three dates had already been given and next date is 31.01.2017.

Mr. Sandeep Singh Mann, learned Senior Deputy Advocate General, Haryana has assured this Court for compliance of this order in letter and spirit. He will also convey to the concerned officer for necessary compliance.

With the aforementioned observations, writ petition stands disposed of.

A photocopy of this order be given to the learned counsel for the petitioner under the signatures of Reader attached with this Court.

(AMIT RAWAL)
JUDGE

January 19, 2017
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No