

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.9871 of 2017
Date of decision:10.05.2017

Kamaldeep Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Nakul Sharma, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

Notice of motion.

Mr. Dinesh Kumar, Advocate accepts notice on behalf of the
caveator/respondent.

The petitioner has challenged the impugned order dated
06.03.2017 (Annexure P-11). Mr. Nakul Sharma, learned counsel for the
petitioner submits that his appeal against the suspension order as Sarpanch
had been dismissed without passing any reasoned order. The impugned
order dated 06.03.2017 reads as under:-

*“Today on 06.03.2017, ADC(D) Sangrur and BDPO Sunan
both present. They submitted the enquiry report charges have
been proved partially. DRDP to examine reports of ADC(D)
and BDPO and take action as per law. Stay orders dated
07.11.2016 stands vacated. Disposed off.”*

On perusal of the aforementioned order, it is revealed that during the pendency of the matter qua suspension, the regular inquiry has culminated into final in which charges have been proved partially.

In my view, question of suspension as per the aforementioned inquiry is over and the petitioner shall be served a show cause notice under Section 24 of the Punjab Panchayati Raj Act, 1994 and he shall be at liberty to take all possible pleas which have been taken in the present writ petition in the contemplated show cause notice.

In view of the aforementioned fact, no ground is made out for interference in the impugned order. Accordingly, the writ petition is dismissed.

(AMIT RAWAL)
JUDGE

May 10, 2017
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No