

LPA no. 1440 of 2017 (O&M) 1

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

LPA no. 1440 of 2017 (O&M)

Date of Decision : 10.08.2017

Ashok Kumar

....Appellant(s)

Versus

State of Haryana and others

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE RAJ SHEKHAR ATTRI**

Present : Mr.Shailendra Sharma, Advocate for the appellant

MAHESH GROVER, J.(ORAL)

We do not find any infirmity in the impugned judgment. The appellant being a Sarpanch was suspended on account of the criminal prosecution against him under Sections 409 and 420 IPC and in terms of Section 51(1)(a) of the Haryana Panchayat Raj Act, 1994 (hereinafter referred to as the 'Act') which is sufficient and justified ground to suspend him as it provides that where a criminal case is under investigation, enquiry or trial and if in the opinion of the Director or Deputy Commissioner concerned the charge made or proceeding taken against him is likely to embarrass him in the discharge of his duties or involves moral turpitude or defect of character, then the competent authority may suspend the Sarpanch or Panch.

If that be so, then when the appellant is facing criminal prosecution with allegations of financial impropriety it would satisfy the

ingredients of Section 51(1)(a) of the Act which is rightly appreciated by the learned Single Judge.

In view of above, instant appeal is hereby dismissed.

(Mahesh Grover)
Judge

10.08.2017
rekha
Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

(Raj Shekhar Attri)
Judge