

C.W.P. No. 1060 of 2018

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 1060 of 2018

DATE OF DECISION:19.01.2018

Harbans Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Vikram Singh, Advocate
for the petitioner.

DAYA CHAUDHARY, J.

The present petition has been filed for quashing of impugned order dated 30.10.2017 passed by respondent No.2 i.e. Director Rural Development and Panchayat, Punjab and order dated 14.12.2017 passed by respondent No.1 i.e. Secretary, Department of Rural Development and Panchayat, Punjab, whereby, the petitioner has been suspended from the post of Sarpanch and thereafter stay application filed alongwith appeal against order of suspension has been dismissed.

Learned counsel for the petitioner contends that stay application has been decided but the appeal is still pending. Learned counsel further contends that nothing has been said on merit and no finding has been recorded while dismissing the application for stay.

Notice of motion to respondents No.1 to 3 only.

On the asking of the Court, Ms. Anu Chatrath, Addl. A.G., Punjab, who is present in Court accepts notice on behalf of respondents No.1 to 3. Four sets of copies of the petition be supplied to her during course of the day.

On perusal of documents available on the file, impugned order and after hearing the arguments advanced by learned counsel for the parties, this Court is of the opinion that no interference is required in the order passed on the application for interim stay.

However, keeping in view the fact that the appeal is still pending, respondent No.2 is directed to consider and decide the appeal of the petitioner within a period of ten days from the date of receipt of certified copy of the order.

Disposed of accordingly

January 19, 2018
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No