

In the High Court of Punjab and Haryana at Chandigarh

CWP No.16680 of 2018

Date of decision: July 11, 2018

Lachhman Singh Sarpanch

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: Hon'ble Mr. Justice Augustine George Masih

Present: Mr. Vinod Bhardwaj, Advocate for the petitioner.

Augustine George Masih, J. (ORAL)

The petitioner has approached this Court and prayed for writ of certiorari for quashing the order dated 26.06.2018 passed by the Secretary, Department of Rural Development and Panchayat, Punjab declining the stay application of the petitioner in the appeal preferred by him against the suspension order.

Learned counsel for the petitioner referring to the order dated 26.06.2018 (Annexure P-4) contends that the said order cannot sustain as the statutory appeal of the petitioner is pending. During the interregnum, the respondents are likely to take charge from the petitioner of the post of Sarpanch, which he was holding prior to his suspension.

Having considered the impugned order and keeping in view the allegations against the petitioner especially with reference of the registration of the FIR under the NDPS Act where recovery has been effected from the petitioner, order dated 26.06.2018 passed by the Financial Commissioner, Government of Punjab, Rural Development and Panchayats Department,

Chandigarh exercising the powers of government under the Punjab Panchayati Raj Act, 1994 cannot be faulted with.

Learned counsel for the petitioner asserts that the next date of hearing in the appeal is 09.08.2018 wherein the record of the Courts below have been summoned. In case the record of the Courts below is received on the next date of hearing of the appeal i.e. 09.08.2018, the appeal itself should be heard and decided by the Financial Commissioner, Government of Punjab, Rural Development and Panchayats Department, Chandigarh.

With these observations, the writ petition stands disposed of.

(Augustine George Masih)
JUDGE

July 11, 2018

jt

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No