

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

**CWP-20255 of 2018
Date of Decision: 14.08.2018.**

Rajbir

....Petitioner.

Versus

State of Haryana and another

...Respondents.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

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

SHEKHER DHAWAN, J.

Present writ petition under Articles 226/ 227 of the Constitution of India is for the issuance of a writ in the nature of certiorari for quashing the impugned order dated 24.07.2018 (Annexure P6) passed by respondent No.1 whereby the stay against suspension order dated 31.05.2018 (Annexure P3) has been vacated wrongly and illegally.

Facts relevant for the purpose of decision of the present writ petition; that the petitioner who was elected as Sarpanch of Gram Panchayat Gadhpuri, Block Prithla, District Palwal, was suspended by Deputy Commissioner, vide order dated 31.05.2018 (Annexure P3). The said order was challenged by the petitioner by filing an appeal under Section 51(5) of the Haryana Panchayati Raj Act, 1994 before the Principal Secretary to Government Haryana, Development and Panchatats Department, Haryana, Chandigarh (Annexure P5). Initially, injunction order was passed against the order passed by Deputy Commissioner and vide order dated 24.07.2018 (Annexure P6), the stay order was vacated and the

appeal preferred by the petitioner has been ordered to be listed for hearing on 09.10.2018.

The grievance of the petitioner in the present writ petition is that he has been elected as Sarpanch for a specified tenure and he has been placed under suspension on false allegations which he has challenged by way of appeal and the same is pending before the Appellate Authority. The Appellate Authority be directed to dispose of the appeal expeditiously so that he may perform his duties as Sarpanch for the rest of the tenure.

Having considered the submissions made by learned counsel for the petitioner and the nature of controversy before this Court, the present writ petition is disposed of with a direction to respondent No.1 (Appellate Authority) to hear and decide the appeal of the petitioner on the date fixed i.e. 09.10.2018 and if for any reason the appeal proceedings have to be adjourned, the same be disposed of expeditiously and preferably within a period of three months from receipt of copy of this order.

(SHEKHER DHAWAN)
JUDGE

14.08 2018.

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Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No