

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 25498 of 2018

Date of Decision: 04.10.2018

Ranjit Singh

... Petitioner(s)

Versus

State of Haryana and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

Present: Mr. Vikram Singh, Advocate
for the petitioner(s).

Shekher Dhawan, J.

Present writ petition is for quashing of impugned order dated 27.09.2018 (Annexure P2), whereby petitioner has been ordered to be suspended from the post of Sarpanch.

Learned counsel for the petitioner fairly conceded that against impugned order (Annexure P2), remedy of appeal lies under Section 51(5) of the Haryana Panchayati Raj Act, 1994 (hereinafter referred to as “the Act”). However, plea was taken that respondent No.1 is not entertaining the appeals and not giving any date.

Notice of motion.

On asking of the Court, Mr. Pankaj Mulwani, Deputy Advocate General, Haryana accepts notice on behalf of the respondents. A complete copy of paper-book be provided to him a during the course of the day.

In view of above, present writ petition stands disposed of with

liberty to the petitioner to file an appeal against the impugned order

(Annexure P2) as laid down under Section 51(5) of the Act before respondent No.1 within a week's time and take plea of relief regarding stay against the suspension order as well and in case he is still aggrieved or his appeal is not entertained by respondent No.1, he shall be at liberty to approach this Court. However, the charge shall not be taken from the petitioner for the intervening period of one week from today and if he fails to prefer any appeal or any relief is not granted by the Appellate Authority, this order shall cease to operate.

(Shekher Dhawan)
Judge

October 04, 2018
“DK”

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