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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-26688-2018

Date of decision-16.10.2018

Rajesh Kumar Sarpanch

...Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

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

JITENDRA CHAUHAN, J.

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ, in the nature of mandamus directing respondent No.1 to decide the stay application filed along with appeal dated 1/9.10.2018 (Annexure P-3).

Learned counsel for the petitioner states that case of the petitioner is covered by a judgment passed by this Court in CWP-23401-2018, titled as “*Mahender Narayan Vs. Financial Commissioner-cum-Principal Secretary, Department of Rural Development and Panchayat, Haryana and others*”, decided on 03.10.2018 (Annexure P-4). Further, he states that at this stage he would be satisfied, if a direction is issued to respondent No.1-Financial Commissioner-cum-Principal Secretary, Panchayat Department, New Civil Secretariat, Sector-17, Chandigarh to consider and decide the stay application dated 01/09.10.2018 (Annexure P-3), within a time bound manner.

Heard.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.1- Financial Commissioner-cum-Principal Secretary, Panchayat Department, New Civil Secretariat, Sector-17, Chandigarh to consider and take final view in the stay application expeditiously preferably within three weeks from the receipt of the certified copy of the order. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible to him, in such eventuality, the consequential relief be allowed to him, within a period of three weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible or made out, in that case, a speaking order be passed in the matter.

Till the disposal of the stay application, the petitioner shall not be divested of the charge for the post of Sarpanch.

(JITENDRA CHAUHAN)
JUDGE

16.10.2018

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No