

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-19061-CWP-2018
in/and CWP No. 9740 of 2018
Date of Decision: 21.12.2018

GURCHET SINGH AND OTHES *Petitioners*

V/s.

STATE OF PUNJAB AND OTHERS*Respondents*

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL.

Present: Mr. Kanwaljit Singh, Senior Advocate,
with Mr. Ajaiveer Singh, Advocate,
for the applicant-respondent No. 5.

Mr. B.S. Sidhu, Advocate,
for the non-applicant/petitioners .

RAKESH KUMAR JAIN, J. (Oral)

The application bearing CM-19061-CWP-2018 is filed by the applicant-respondent No. 5 for vacation of stay granted by this Court vide order dated 24.04.2018.

Notice in the application.

Mr. B.S. Sidhu, Advocate, accepts notice on behalf of the non-applicant/petitioners.

Main writ petition which was reserved, is also put for hearing alongwith the said application.

Learned counsel for both the parties are *ad idem* that the present writ petition may be disposed of in terms of CWP No. 9308 of 2018 titled as Manjit Kaur and others Vs. State of Punjab and others decided on 03.12.2018 by the Division Bench of this court, in which following order was passed:-

“Rule.

Heard forthwith with consent of counsel for the rival parties.

It is not in dispute that the grievance made by the petitioners in this writ petition has not been adjudicated by the competent authority, despite the judgment of the Division Bench of this Court in the case of Punjab Pradesh Congress Committee versus State of Punjab and others, in CWP No.8290 of 2013 passed on 13.06.2013.

In our opinion, since the elections of the Gram Panchayat is to be held in the near future and the mandate of the aforesaid judgment is that the authority must adjudicate upon the grievances of the concerned party(ies), we think it would be appropriate for the authority to decide the grievances by passing a speaking order after granting opportunity of hearing.

In that view of the matter, we direct respondent No.2 to hear this matter and pass speaking order. Needless to say that the contesting parties in the present petition would also be heard by respondent No.2 within a period of one week from today. The decision shall be given, in accordance with law, within three days thereafter and before the notification of the election is announced, whichever is earlier.

Copy of this order shall be placed before respondent No.2 by the petitioners.

The Rule stands disposed of with the direction as aforesaid.”

Learned counsel for the parties has further submitted that the date and time before the competent authority may be fixed who shall ultimately decided the lis between the parties.

In view of the aforesaid, while disposing of the main writ petition and the application for stay as well, direction is issued to the competent authority decide the *lis* between the parties on 24.12.2018 by passing a speaking order and by affording an opportunity of hearing to the parties. The parties shall appear before the competent authority on 24.12.2018 at 11.00 am.

[RAKESH KUMAR JAIN]
JUDGE

December 21, 2018
Ess Kay

[ANUPINDER SINGH GREWAL]
JUDGE

<i>Whether speaking / reasoned</i>	:	Yes	/	No
<i>Whether Reportable</i>	:	Yes	/	No