

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

**LPA No. 1501 of 2018 (O&M)
Date of decision: 01.10.2018**

Sonil

... Appellant

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI**

Present: Mr. Balraj Gujar, Advocate
for the appellant.

KRISHNA MURARI, CHIEF JUSTICE (Oral)

This intra-court appeal, under Clause X of the Letters Patent, is filed against the judgment and order dated 21.9.2018, dismissing the writ petition filed by the appellant, seeking a prayer that in pursuance of an interim order dated 23.1.2018, passed by the learned Single Judge of this Court in a writ petition filed by her challenging her removal from the post of Sarpanch, she may be allowed to work.

It is pertinent to point out that the interim order only said, “meanwhile, further proceedings in pursuance of orders dated 28.7.2017 and 11.1.2018, shall remain stayed”. It appears that misinterpreting the said interim order, initially the appellant-petitioner was put in charge of the post, but subsequently when a legal opinion was obtained from the District Attorney, an order was passed directing her to hand back the charge. Initially, the appellant-petitioner invoked the contempt jurisdiction of this Court, alleging willful disobedience of the order passed by this Court and subsequently filed a writ petition. The learned Single Judge, finding that the

LPA No. 1501 of 2018 (O&M)

-2-

appellant-petitioner has already invoked the contempt jurisdiction alleging non-compliance of the order, held that the writ petition seeking execution of the stay order 23.1.2018 was not be liable to be entertained and accordingly dismissed the same.

We are also of the opinion that the subsequent order, which was challenged in the writ petition whereby the appellant was directed to hand back the charge which was given to her under some misconception on the basis of interim order dated 23.1.2018, does not give any fresh cause of action to her, particularly when for compliance of the said order, contempt jurisdiction has already been invoked by her.

In view of the aforesaid facts and circumstances, we are of the considered view that the writ petition has rightly been dismissed by the learned Single Judge. Thus, this Letters Patent Appeal is without any force and the same accordingly stands dismissed.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

October 01, 2018
AK Sharma

Whether speaking / reasoned:	YES
Whether Reportable:	NO