

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

CWP-1036-2019

Date of decision: 16.1.2019

Babu Lal

...Petitioner

Versus

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 issuance of a writ in the nature of mandamus for staying the operation and implementation of the impugned order dated 26.11.2018 (Annexure P-1) passed by respondent No.2, whereby the petitioner has been ordered to be suspended from the post of Sarpanch till the decision of the appeal.

On oral request of learned counsel for the petitioner, Principal Secretary, Government of Haryana, Development and Panchayats Department, Haryana is ordered to be impleaded as respondent No.3.

Registry is directed to make the necessary amendment in the memo of parties accordingly.

Learned counsel for the petitioner states that at this stage, he would be satisfied, if a direction is issued to respondent No.3 – Principal Secretary, Government of Haryana, Development and Panchayats

Department, Haryana to decide the appeal dated 29.11.2018 (Annexure P2) expeditiously.

Heard.

A complete set of paper book has been handed over to Mr. Vikrant Pamboo, DAG, Haryana, in the Court today.

In view of the above, without advertng to the merits of the case, the present petition is disposed of with a direction to respondent No.3 – Principal Secretary, Government of Haryana, Development and Panchayats Department, Haryana to decide the appeal dated 29.11.2018 (Annexure P-2) within four weeks from the receipt of the certified copy of the judgment after giving an effective opportunity of hearing to the petitioner. 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 four 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.

16.1.2019
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No