

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

119

CWP-5147-2019

Date of decision: 26.02.2019

Juned

....Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.Talim Hussain, Advocate, for the petitioner.

G.S. SANDHAWALIA, J. (Oral)

Challenge in the present writ petition, filed under Articles 226/227 of the Constitution of India, is to the order dated 23.08.2018 (Annexure P-4) whereby suspension order of respondent No.6 as Panch of Village Bhimsika dated 10.05.2018 (Annexure P-3) has been withdrawn and he has been reinstated by the Deputy Commissioner.

The said suspension order had also been challenged by the private-respondent in an appeal filed before respondent No.1, which was disposed of as infructuous on 27.11.2018 (Annexure P-5) on account of the fact that the Deputy Commissioner, Palwal had directed to get the regular enquiry completed within a period of one month, by associating the complainant and to take the final decision.

The allegations, as such, are of cutting down of a pipal tree, cost of which was Rs.5555/- and selling same. Private respondent had remained under suspension from 10.05.2018 to 23.08.2018 and the suspension order has been revoked while noticing that there is a pending regular enquiry. The suspension order is not to carry on forever and if the Deputy Commissioner, while examining the merits of the case, decided to revoke the said order, this Court is of the opinion that there is no such cause made out, as such, to interfere in the said order. The regular departmental proceedings are, in any case, pending for the misconduct of the private-respondent, which is yet to be proved.

Resultantly, finding no merit in the present writ petition, the same is dismissed in limine.

26.02.2019

Sailesh

(G.S. SANDHAWALIA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No