

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

254

CWP-5143-2019

Date of Decision: March 15, 2019

Smt. Sunita

.....Petitioner(s)

versus

Financial Commissioner and Additional Chief
Secretary, Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Sonu Giri, Advocate for
Mr. Lalit Yadav, Advocate for the petitioner.

Mr. Vikrant Pamboo, DAG, Haryana.

JITENDRA CHAUHAN , J. (Oral)

This writ petition under Article 226 of the Constitution of India has been filed for quashing order dated 29.01.2019 (Annexure P-5) passed by respondent No.2-Principal Secretary to Government of Haryana, Development & Panchayats Department, whereby order dated 06.11.2018 (Annexure P-4) staying the suspension of the petitioner by respondent No.3-Deputy Commissioner, Bhiwani vide order dated 19.7.2018 (Annexure P-1), was vacated during the pendency of the appeal on account of non-representation of learned counsel for the petitioner. The appeal of the petitioner is coming up for final disposal on 26.03.2019.

Heard.

Considering the fact that the stay has been vacated only on account of non-representation of the learned counsel, which the petitioner had earned on

merit vide order dated 06.11.2018 (Annexure P-4), the Court feels that for the lapse of the learned counsel, the case of the petitioner must not suffer. Therefore, the order dated 06.11.2018 (Annexure P-4) vacated vide impugned order dated 29.1.2019 (Annexure P-5), is restored and the same shall remain in subsistence till the next date of hearing before respondent No.2-appellate authority i.e. 26.03.2019. Consequently, the impugned order dated 29.1.2019 (Annexure P-5) is hereby quashed.

Disposed of accordingly.

March 15, 2019

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[JITENDRA CHAUHAN]
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No