

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

CWP-15350-2019

Date of decision : 30.05.2019

Sanjay Kumar and another

.... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Baldev Singh Dhillon, Advocate
for the petitioners.

Mr. Vikrant Pamboo, DAG, Haryana.

JITENDRA CHAUHAN, J (ORAL)

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ, in the nature of mandamus, directing respondent Nos.1 and 2 to take legal action under Section 51(3)(c) of the Haryana Panchayati Raj Act, 1994 to remove respondent No.5 from the post of Sarpanch of village Thana.

Learned counsel for the petitioners states that at this stage he would be satisfied, if a direction is issued to respondent No.2-Deputy Commissioner, Kurukshetra, District Kurukshetra to consider and decide the representation dated 14.03.2019 (Annexure P-5) expeditiously.

Heard.

A complete set of paper book has been handed over to the learned State counsel, in the Court today.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent

No.2-Deputy Commissioner, Kurukshetra, District Kurukshetra to consider and decide the representation dated 14.03.2019 (Annexure P-5) in accordance with law within six weeks from the date of receipt of the certified copy of the judgment. In case, on consideration the competent authority reaches to the conclusion that the benefit claimed by the petitioners is admissible to them, in such eventuality, the consequential relief be allowed to them, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioners is not admissible or made out, in that case, a speaking order be passed in the matter.

(JITENDRA CHAHUAN)
JUDGE

30.05.2019
Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No