

In the High Court of Punjab and Haryana at Chandigarh

202+106

CWP No.16775 of 2019(O&M)

Date of Decision: 30.09.2019

Annu Yadav

.....Petitioner

VERSUS

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sanjiv Kumar Aggarwal, Advocate
for the petitioner.

Mr. Ayuwan Singh, A.A.G., Haryana.

Ms. Ramandeep Kaur, Advocate for
Mr. Vikram Singh, Advocate
for the applicant/proposed respondent No.4.

JITENDRA CHAUHAN, J (ORAL)

CM-13483-CWP-2019

For the reasons mentioned in the application, the same is allowed.

Applicant Rameshwar Diyal is impleaded as respondent No.4.

Amended memo of parties appended along with the application is
taken on record.

CWP No.16775 of 2019(O&M)

1. The petitioner has filed the instant petition for quashing the order dated 28.05.2019 (Annexure P-5) passed by respondent No.2, whereby the stay granted on 21.11.2017 (Annexure P-4) against the suspension order dated 16.11.2017 of the petitioner from the post of Sarpanch, was vacated without giving any reason.

2. Learned counsel contends that vide order 21.11.2017 (Annexure P-4), the operation of the suspension order dated 16.11.2017 (Anexure P-2) was stayed and the matter was adjourned to 19.12.2017. In the interregnum period, the respondent No.2, Financial Commissioner and Secretary, Department of Rural Development & Panchayats, Haryana had not been holding the Court. The matter came up for effective hearing on 28.5.2019 and on the said date, on account of marriage in the family, counsel for the petitioner could not cause appearance, however, his associate caused representation. The reasoned order dated 21.11.2017(Annexure P-4) vide which the interim stay against the suspension order dated 16.11.2017(Annexure P-2) was granted, stood vacated vide order dated 28.5.2019(Annexure P-5) without reflecting upon the merits of the case.

3. Heard.

4. Considering the nature of issue involved in the present case, this Court feels that it will be in the interest of justice, in case, a direction is issued to respondent No.2 to decide the appeal preferred by the petitioner, expeditiously. Ordered accordingly.

5. It is made clear that till the time, the application for stay filed along with appeal by the petitioner before respondent No.2, is decided, the order dated 01.07.2019 passed by this Court shall remain in subsistence.

6. Disposed of in the above terms.

(JITENDRA CHAUHAN)
JUDGE

30.09.2019

rakesh

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No