

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

**CWP-33701-2019(O&M)
Date of decision-20.11.2019**

Om Parkash

...Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Vishal Garg Narwana, Advocate
for the petitioner(s).

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

JITENDRA CHAUHAN, J.

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 for staying the operation and implementation of the impugned order dated 18.09.2019 (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 along with stay application dated 29.10.2019 (Annexure P-2) filed by the petitioner.

Heard.

A complete set of paper book has been handed over to Mr. Ayuwan Singh, A.A.G., Haryana in the Court today.

The appeal preferred by the petitioner on 29.10.2019, against the suspension order dated 18.09.2019 (Annexure P-1) passed by

respondent No.2 is pending adjudication before respondent No.1-Financial Commissioner-cum-Principal Secretary to the Govt. of Haryana, Department of Rural Development and Panchayats. The appeal has not come up for preliminary hearing and the matter stands adjourned for 08.01.2020.

Considering the fact that the petitioner is an elected representative and in a democratic system being the leader of the village carries a lot of sanctity.

In these circumstances respondent No.1-Financial Commissioner-cum-Principal Secretary to the Govt. of Haryana, Department of Rural Development and Panchayats, Haryana Civil Secretariat, Chandigarh is requested to consider and decide Appeal No.82 of 2019 dated 29.10.2019 titled as '**Om Parkash Vs. Deputy Commissioner, Gurugram**' (Annexure P-2) expeditiously or at least the application of stay filed along with the appeal on the adjourned date.

Till the decision in the CM application for *ex parte* stay, the operation and effect of impugned order dated 18.09.2019 (Annexure P-1) shall remain stayed.

Disposed of.

A copy of this order be given to learned State counsel under the signatures of Bench Secretary of this Court.

20.11.2019

ps-I

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :

Yes

No