

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

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**CWP-34025-2019 (O&M)
Date of Decision :18.12.2019**

Sheetal Devi

... Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Vikram Singh, Advocate for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

SUVIR SEHGAL, J.(ORAL)

Learned counsel for the petitioner has submitted that he had filed an appeal impugning order dated 13.09.2019 (Annexure P-1) passed by respondent No.2 whereby he was removed from the post of Sarpanch under Section 51(3) of the Haryana Panchayati Raj Act, 1994 (for short 'the Act'). He has further submitted that a statutory appeal was instituted by him on 17.10.2019, alongwith an application for stay, which was listed for hearing on 05.11.2019, then on 03.12.2019 and then again on 17.12.2019 but the same was not taken up for hearing.

Learned counsel has further placed reliance upon the judgment of this Court in CWP No. 27000 of 2019 decided on 20.09.2019 (Annexure P-4), *Saroj Bala Versus State of Haryana and another* and has contended that in a similar situation this Court had directed respondent No.1 to decide the stay application within a period of six weeks and had further stayed the operation and effect of the impugned order.

On 22.11.2019, this Court issued notice of motion to the respondents and directed the learned State counsel to get instructions in the matter. More time was granted to the learned State counsel on 03.12.2019 and again on 06.12.2019. However, even today, the State counsel does not have any instructions.

I have perused the judgment Annexure P-4. Matter is covered by the said judgment. Accordingly, without going into merits of the case, the present writ petition is disposed of with the direction to the appellate authority-respondent No.1 to decide the appeal (Annexure P-2) expeditiously. However, in case, respondent No.1 is unable to do so, at least the stay application filed alongwith the appeal be adjudicated preferably within six weeks from the date of receipt of certified copy of this order. Till then, the impugned order dated 13.09.2019 (Annexure P-1) shall remain in abeyance.

Disposed of with the above observation.

18.12.2019

pooja saini

**(SUVIR SEHGAL)
JUDGE**

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No