

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

CWP-36145-2019

Date of Decision: 20.12.2019.

Jaswant Singh

....Petitioner.

Versus

State of Haryana and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Sukhvir Singh Sahu, Advocate for the petitioner.

Mr. Kapil Bansal, Deputy Advocate General, Haryana.

Suvir Sehgal, J. (Oral)

The petitioner has approached this Court seeking issuance of a writ in the nature of certiorari for setting aside impugned order dated 26.11.2019 (Annexure P4) passed by Deputy Commissioner, Fatehabad-respondent No.3, whereby the petitioner has been suspended from the post of Sarpanch of Gram Panchayat Village Ahrwan Sub Tehsil Ratia, District Fatehabad. He has further sought a direction to respondent No.1 to take up and decide his appeal bearing No.40 of 2019.

Learned counsel for the petitioner has submitted that by virtue of impugned order, the petitioner, who was an elected Sarpanch of the Gram Panchayat was placed under suspension by respondent No.3. The impugned order was challenged by the petitioner by filing appeal No.40 of 2019 which was instituted on 02.12.2019 before Appellate Authority-respondent No1. It

has been further submitted that the appeal came up for hearing on

03.12.2019 and again on 10.12.2019 but since respondent No.1 did not hold Court, the appeal is being adjourned. As a result, neither the appeal has been taken up for hearing nor the application for stay filed along with said appeal has been considered.

Notice of the writ petition was issued to the respondents on 13.12.2019.

Learned counsel appearing for the State has submitted that he has not received any instructions in the matter.

Keeping in view the fact that the appeal filed by the petitioner is pending consideration and is not being decided, without going into the merits of the case, a direction is issued to the Appellate Authority-respondent No.1 to decide appeal bearing No.40 of 2019 expeditiously. However, in case respondent No.1 is unable to do so, at least the stay application filed along with the appeal be adjudicated within a period of four weeks from the date of receipt of certified copy of this order.

Disposed of accordingly.

(SUVIR SEHGAL)
JUDGE

20.12.2019

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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No