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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-4225-2020
Date of decision: 17.2.2020

Babu Lal

.....Petitioner.

vs.

State of Haryana and others

.....Respondents.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. Mukesh Yadav, Advocate for the petitioner.

.....

Sanjay Kumar, J. (ORAL)

The petitioner is the complainant at whose behest the fifth respondent was removed from the post of Sarpanch of the Gram Panchayat of Village Bihali Block and Tehsil Ateli Nangal, District Mahendergarh. His grievance presently is that the appellate authority granted stay of the order dated 14.1.2020, whereby the fifth respondent was removed from the post, pending the disposal of her appeal.

Though Mr. Mukesh Yadav, learned counsel for the petitioner would raise various issues in relation to the grounds on which the fifth respondent was removed from the post, this Court is of the opinion that the no cause is made out for interference at this stage as the appeal filed by the fifth respondent is still pending consideration before the appellate authority, the first respondent-herein.

As regards the grant of stay pending the disposal of the appeal, this Court cannot interfere with the exercise of such discretion by the appellate authority unless strong grounds are made out warranting such interference. No such grounds are established presently. This Court therefore sees no reason to entertain this writ petition for adjudication on

merits. Further, as this Court is not going into the merits of the matter, no cause is made out to put the fifth respondent on notice or afford her an opportunity of hearing. All the more so, as the petitioner is admittedly not even a party to the pending appeal before the first respondent as on date.

The writ petition is accordingly disposed of directing the first respondent to consider the appeal filed by the fifth respondent on its own merits and in accordance with law expeditiously and in any event, not later than four weeks from the date of receipt of a certified copy of this order.

No order as to costs.

(SANJAY KUMAR)
JUDGE

17.2.2020

preeti

whether speaking/non speaking

yes/no

whether reportable/non reportable

yes/no