

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

CWP No.5623 of 2020
Date of decision: 02.03.2020

Krishan Dev

.....Petitioner

V/s.

The State of Haryana and others

.....Respondents

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. Rajender Kumar Mehta, Advocate,
for the petitioner.

Sanjay Kumar, J. (Oral)

The grievance of the petitioner is that though he filed an appeal along with a stay application in relation to his suspension from the post of Sarpanch of Village Maseet, Block Dahina, District Rewari, the Appellate Authority, viz., the Principal Secretary to the Government of Haryana, Chandigarh, is yet to take up the matter in right earnest.

Reliance is placed upon case law in support of the contention that an appellate authority is required to promptly consider the issues raised before it by way of a statutory appeal. Reference in this regard is made to the decision of a Division Bench of this Court in *CWP-15000- 1996*, titled *Kashmir Kaur V/s. Secretary to Government of Haryana, Development and Panchayat Department-cum-Financial Commissioner and others (1997 (1) PLR 242)*; the decision of a learned Judge of this Court in *CWP-27000- 2019*, titled *Saroj Bala vs. State of Haryana*, and the decision of

another learned Judge of this Court in *CWP-34025-2019*, titled *Sheetal Devi vs. State of Haryana and others*.

For reasons alike as were recorded in the aforestated orders and in terms thereof, the writ petition is disposed of directing the first respondent to consider and dispose of the appeal filed by the petitioner on the next date of hearing. In the event the appellate authority is unable to do so, it shall at least consider the stay application filed by the petitioner in the said appeal on merits. Pending such decision, be it in the appeal or in the stay application, as the case may be, the order under appeal dated 04.02.2020 (Annexure P-1) shall remain in abeyance.

No order as to costs.

(SANJAY KUMAR)
JUDGE

02.03.2020

rakesh

whether speaking/non speaking

: Yes/no

whether reportable/non reportable

: Yes/no