

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

**CWP No. 10624 of 2020
Date of Decision: 27.07.2020**

Rekha

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. K. L Saini, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By this petition, the petitioner seeks a writ in the nature of *certiorari*, quashing the order dated 02.07.2020 (Annexure P-3), vide which his services have been suspended by respondent no. 3 (Deputy Commissioner, District Jind).

At the outset, before learned counsel for the petitioner commenced arguments, Ms. Palika Monga, learned D.A.G, Haryana, appears, she already having received notice of the petition in advance, and submits that in fact against the order impugned in the present petition, the petitioner has filed a statutory appeal before the competent authority on 13.07.2020 and she has instructions to state that the application accompanying that appeal, seeking a stay on the suspension from the post, would be decided within a period of 10 days from today by the competent authority, with the appeal also to be decided soon thereafter.

Upon the aforesaid contention being put to Mr. Saini, learned counsel for the petitioner, he submits that pending decision in the application, the operation of the suspension order may be stayed.

Having considered the matter, in view of the fact that reasons for the suspension have been given by the respondent, without making any comment whatsoever on the correctness or otherwise of those reasons given, this petition is disposed of with a direction to the appellate authority, to decide the application seeking a stay on suspension from the post within a period of 10 days, as has been submitted by learned State counsel (on instructions), and to thereafter decide the appeal as expeditiously as possible.

The prayer for an interim stay is declined at this stage.

However, it is made clear that nothing observed hereinabove will be taken to be a comment on the merits of even that application of the petitioner, with such merits to be considered by the competent appellate authority.

July 27, 2020
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No.