

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

Sr. No.206

LPA No.471 of 2020 (O&M)

Date of Decision : 31.08.2020

Dharampal

..... Appellant

Versus

State of Haryana and others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MRS. JUSTICE ARCHANA PURI**

Present : Mr. Pawan Kumar, Sr. Advocate
with Mr. Surya Kumar, Advocate
for the appellant.

Mr. Aman Bahri, Addl. A. G., Haryana.

AJAY TEWARI, J. (ORAL)

1. This appeal has been filed against the judgment and order dated 16.07.2020 passed by the Ld. Single Judge dismissing a writ petition filed by the appellant wherein he had challenged the order of the Principal Secretary-cum-Commissioner Development and Panchayat Department, Haryana Civil Secretariat, Chandigarh upholding his removal from office on the ground that he did not fulfil the essential conditions of being a matriculate while filing nomination for the post of Sarpanch.

2. As per the appellant, he had passed matriculation from the Council of Secondary Education, Mohali and as per the impugned order this Council being not 'recognized institution/board' he has incurred

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disqualification under Section 175 of the Haryana Panchayati Raj Act, 1994.

3. On 31.07.2020 the following order was passed:-

“Learned counsel for the appellant prays for short adjournment to await the outcome of the decision of the Hon'ble Supreme Court in a case listed on 14.08.2020 relating to the validity of the Certificate obtained from Council of Secondary Education Mohali.”

4. Today, the learned Senior Counsel for the appellant has very fairly stated that what is pending in the Supreme Court is a writ petition filed by the Council itself in the year 2014 in which the prayer made was that it should be considered a recognized board. Once that is so, it is clear that even till date the Council of Secondary Education, Mohali is not a recognized board.

5. In this view of the matter, no fault can be found with the impugned judgment and order passed by the Ld. Single Judge.

6. Appeal is dismissed.

7. Since the main case has been decided, the pending C.M. Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

(ARCHANA PURI)
JUDGE

August 31, 2020
ashish/poojasharma-I

Whether speaking/reasoned Yes/No

Whether Reportable : Yes/No