

In virtual Court

CWP-12321-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-12321-2020 (O&M)  
Date of decision: 20.08.2020

Kaushalya

... Petitioner

Vs.

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.S. Duhan, Advocate  
for the petitioner.

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ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for issuance of directions to respondent No.1 to hear and decide the statutory appeal filed by the petitioner on 06.08.2020 along with an application for staying the operation of the impugned order dated 04.08.2020 (Annexure P-3) passed by the Deputy Commissioner, Hisar, vide which the petitioner was suspended from the post of Sarpanch, Gram Panchayat Khokha, Block Hisar-I, District Hisar.

Learned counsel for the petitioner submits that the impugned order dated 04.08.2020 (Annexure P-3) was passed by the Deputy Commissioner, Hisar on the premise that 8<sup>th</sup> pass certificate submitted by the petitioner at the time of contesting the elections, was found to be a fake document. It is further submitted that against the said order, the petitioner has already filed an appeal before the appellate authority-respondent No.1, however, due to COVID-19 situation in the country, no date has been given and the same is pending and even the application for grant of interim stay has not been decided till date.

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Learned counsel for the petitioner has relied upon decision of Division Bench of this Court in **CWP-15000-1996 titled as Kashmir Kaur Vs. Secretary to Government of Haryana, Development and Panchayat Department-cum-Financial Commissioner and others, 1997 (1) PLR 242**, decisions of this Court in **CWP-27000-2019 titled as Saroj Bala Vs. State of Haryana** and **CWP-34025-2019 titled as Sheetal Devi Vs. State of Haryana and others.**

Learned counsel for the petitioner further submits that the petitioner would be satisfied, if this writ petition is disposed of, by issuing a direction to respondent No.1-appellate authority to consider and dispose of the appeal or application for stay expeditiously.

After hearing learned counsel for the petitioner, I deem it appropriate to direct the appellate authority to decide the appeal/application for stay preferably within a period of six months from the date of receipt of certified copy of this order.

It will be open for the appellate authority to hear the arguments either through video conferencing facility or by asking the parties to submit their written submissions.

Till a decision is taken by the appellate authority, operation of the impugned order dated 04.08.2020 (Annexure P-3) shall remain stayed.

**[ ARVIND SINGH SANGWAN ]**  
**JUDGE**

20.08.2020  
*vishnu*

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No