

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

108

CWP No.12328 of 2020

DATE OF DECISION : 20th AUGUST, 2020

Sube Singh

.... **Petitioner**

Versus

State of Haryana & another

.... **Respondents**

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

=====
In virtual Court
=====

Present: Mr. Vikram Singh, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India, seeking setting aside of impugned order dated 11.08.2020 with a further prayer to stay the operation of impugned order till the disposal of appeal dated 14.08.2020.
2. The issue raised by the petitioner; in this petition; is that during the period of lockdown on account of Covid-19 pandemic; the Deputy Commissioner, Charkhi Dadri has passed order of suspension dated 11.08.2020 against the petitioner; who was working as Sarpanch. The petitioner has filed the statutory appeal with the statutory appellate authority on 14.08.2020. However, the statutory appellate authority has not given any hearing to the petitioner despite the fact that his status as elected representative of the electorate of his village has been put under a clog by administrative orders.
3. Notice of motion.

4. Mr. Rupinder Singh Jhand, Additional Advocate General, Haryana, accepts notice on behalf of the State and submits that he has been instructed by the concerned authorities to submit before the court; that now the work in the Government offices has started. The appeal filed by the petitioner would be duly considered and a final decision shall be taken at the earliest possible.

5. In view of the above, this court considers it appropriate to dispose of the present petition at this stage itself; without calling for further pleadings from the respective parties.

6. Accordingly, the present petition is disposed of with direction to the statutory appellate authority to finally decide the appeal filed by the petitioner within a period of two weeks from today.

7. It is further clarified that if physical hearing is not possible then the petitioner can be heard through virtual hearing. If the petitioner has not furnished his mobile number, then the authorities can ask the petitioner to furnish his mobile number so as to grant him hearing through video conferencing.

8. Still further, it is clarified that; in the meantime, if any charge is taken from the petitioner, pursuant to the impugned order, then the same shall not affect the status of the petitioner in any manner whatsoever. The said arrangement shall be taken only as temporary administrative step and this fact itself shall not invite any more consequences of any kind qua the petitioner.

9. The petition stands disposed of with directions as aforesaid.

20th AUGUST, 2020
'raj'

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No