

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

CWP-14072-2020

Date of decision: 09.09.2020

Vedpal

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI, JUDGE

Present: Mr. Harkesh Manuja, Advocate for the petitioner.
Mr. Kiran Pal Singh, AAG, Haryana.
*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court.)*

ARUN PALLI, J. (Oral)

The petitioner, who happened to be the Sarpanch of Gram Panchayat Kami, Block Murthal, District Sonapat, is aggrieved by his suspension under Section 51(1)(a) of the Haryana Panchayati Raj Act, 1994 caused vide order dated 02.09.2020, passed by the Deputy Commissioner.

Learned counsel for the petitioner submits that although the petitioner has assailed the order of suspension vide an appeal under Section 51(5) of the Haryana Panchayat Raj Act, 1994, which is accompanied with a stay application, before the Principal Secretary, Panchayat Department, Haryana (respondent No.1), but the situation he is faced with is: on the one hand, he is facing suspension, whereas on the other his appeal, perhaps owing to the prevailing pandemic (Covid 19), is not being heard.

The matter was passed over in the first round to enable the learned State counsel to ascertain the status of the appeal. Who, upon instructions from the Law Officer of the Department, submits that the appeal

preferred by the petitioner has since been numbered i.e. Appeal No.83 of 2020, and is posted for preliminary hearing on 22.09.2020.

Further, in reference to the judgment and orders dated 09.06.2020, passed by the coordinate Bench in CWP No.7866 of 2020 (**Sunita v. State of Haryana and another**) and other connected cases, as also in CWP No.7966 of 2020 (**Devender Tyagi v. State of Haryana and others**), dated 12.06.2020, he submits that in an identical situation, a few other Sarpanch(s) of different villages had also approached this Court and those petitions were disposed of with a direction to the appellate authority to decide their appeals within a specified time. And till the decision of those appeals or the stay applications, as the case may be, their suspension was ordered to be kept in abeyance. Therefore, he submits that let this petition be also disposed of in the same terms.

In the wake of the position as sketched out above, and without commenting upon the merits of the dispute, the petition is disposed of with a direction to respondent No.1 to make every possible endeavour to hear and decide the appeal filed by the petitioner i.e. Appeal No.83 of 2020, posted for 22.09.2020. And, in the meanwhile, till the decision of the appeal or the stay application moved by the petitioner, the order of his suspension dated 02.09.2020, shall remain in abeyance.

09.09.2020

Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:

YES

Whether Reportable:

NO