

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

(Heard through VC)

CWP No.14647 of 2020 (O&M)

Date of Decision: September 17, 2020

Daulat Ram

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Mohd. Arshad, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

This is a writ petition that has been filed by the petitioner for challenging the order dated 31.08.2020, as issued by the Deputy Commissioner, by which he has been suspended from the post of Sarpanch.

Counsel for the petitioner herein would contend that the petitioner has been an elected Sarpanch and, therefore, be not removed summarily as has been done in the instant matter. Counsel further submits that the petitioner has been held guilty for not removing Mahavir Singh, who is stated to be in illegal possession over the Panchayat land. Counsel would further argue that only three months are left of his tenure, as such, he be permitted to continue as Sarpanch of the Gram Panchayat. He submits that a statutory appeal under Section 51(5) of the Haryana Panchayati Raj

Act, 1994 has already been preferred, however, the same is not being decided. In the said appeal, he has already prayed for stay of the impugned order of suspension.

Notice of motion.

At this stage, Mr. S.S. Pannu, DAG Haryana, who is appearing through the medium of video conferencing, accepts notice on behalf of the respondents and submits that there is no illegality in the order so passed. Mahavir Singh is none other than the father of the petitioner/Sarpanch of the Gram Panchayat and the petitioner was duty bound to remove the illegal encroachment, but he has failed to do so. Let a complete copy of the paper book be served upon him during the course of the day on whatsapp or through e-mail.

In view of the above, I dispose of the instant petition by directing the Appellate Authority to decide the appeal of the petitioner as expeditiously as possible, preferably within a period of ten days from the date of passing of this order, in accordance with law.

September 17, 2020

vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No