

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

**CWP No.16791 of 2020
Date of Decision: 12.10.2020**

Parvesh Kumar

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

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

RITU BAHRI, J. (ORAL)

Petitioner is seeking setting aside of the order dated 25.09.2020 (Annexure P-1), whereby he has been ordered to be removed from the post of Sarpanch.

Against the impugned order dated 25.09.2020 (Annexure P-1), petitioner filed an appeal before respondent No.1 on 05.10.2020 (Annexure P-2). Along with this appeal, he has also filed an application for stay of the order dated 25.09.2020, which has not been decided so far. Learned counsel for the petitioner refers to the judgment passed by a Division Bench of this Court in **Kashmir Kaur vs. Secretary to Government of Haryana, Development and Panchayat Department-cum-Financial Commissioner and others**, 1997 (1) PLR 242 and another decision dated 15.06.2020 given by learned Single Judge of this Court in **Vinay vs. State of Haryana and others**, CWP-8078-2020 (Annexure P-4).

Notice of motion.

On the asking of the Court, Mr. Hitesh Pandit, Addl. A.G., Haryana, accepts notice on behalf of respondent-State.

Without expressing any opinion on the merits of the case, this petition is disposed of by giving direction to respondent No.1-appellate authority to consider the appeal dated 05.10.2020 (Annexure P-2) filed by the petitioner and decide the same expeditiously. Keeping in view the COVID-19 situation, respondent No.1 can resort to the technology available and conduct the proceedings through video conferencing etc. The appellate authority, at best, can decide the stay application filed by the petitioner along with the statutory appeal. During the pendency of the appeal or the stay application, order dated 25.09.2020 (Annexure P-1) shall remain stayed.

12.10.2020
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No