

CWP No. 19014 of 2020

Date of Decision: November 10, 2020

Gurdev Kaur

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ashish Pal Kaushal, Advocate
for the petitioner

Sudhir Mittal, J. (Oral)

The petitioner is Sarpanch of village Behbal Kalan, District Faridkot. Her grievance is that her suspension from the post of Sarpanch for being in unauthorized possession of panchayat land is illegal as infact she is not in possession of panchayat land.

Learned counsel for the petitioner submits that statutory appeal filed on 18.12.2019 is still pending and the stay application has also not been taken up for consideration as yet. Meanwhile, an inquiry has been conducted by Divisional Deputy Director, Rural Development and Panchayat, Ferozepur, wherein a finding has been recorded that the petitioner is not in possession of panchayat land. This inquiry report has also been filed before the Appellate Authority, yet, the said matter is not being taken up for consideration.

Notice of motion to respondents No. 1 and 2 only.

Mr. Nikhil Chopra, Addl. A.G. Punjab, accepts notice on behalf of respondents No. 1 and 2 and waives service.

Considering the nature of the order being passed there is no necessity of filing a written statement.

The petition is disposed of with a direction to the Appellate Authority concerned to take up the statutory appeal of the petitioner and decide the stay matter on the next date of hearing i.e. 18.11.2020 or within four weeks thereafter.

November 10, 2020

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No