

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

116

**CWP No.3245 of 2021**  
**DATE OF DECISION : 11<sup>th</sup> FEBRUARY, 2021**

**Khajani Devi**

**.... 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.

\* \* \* \*

**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 29.01.2021 (Annexure P-1) with a further prayer to stay the operation and implementation of impugned order till the disposal of appeal dated 02.02.2021 (Annexure P-2).

2. The issue raised by the petitioner; in this petition; is that the Deputy Commissioner, Charkhi Dadri has passed order dated 29.01.2021 (Annexure P-1) of removal of the petitioner from the post of Sarpanch. The petitioner has filed the statutory appeal with the statutory appellate authority on 02.02.2021 (Annexure P-2). However, the statutory appellate authority has not given any hearing to the petitioner despite the fact that her status as an elected representative of the electorate of her village has been taken away by order of an administrative authority.

3. Notice of motion.

4. Ms. Deipa Singh, Additional Advocate General, Haryana, accepts notice on behalf of the State and submits that 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 her mobile number, then the authorities can ask the petitioner to furnish her mobile number so as to grant her 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 till the decision of the appeal by the appellate authority. 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.

**11<sup>th</sup> FEBRUARY, 2021**  
'raj'

**(RAJBIR SEHRAWAT)**  
**JUDGE**

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|-----------------------------------|------------|-----------|
| <i>Whether speaking/reasoned:</i> | <i>Yes</i> | <i>No</i> |
| <i>Whether Reportable:</i>        | <i>Yes</i> | <i>No</i> |