

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

CWP-24965-2021 (O&M)

Date of decision: 09.12.2021

Sukhwinder Singh, Sarpanch

...Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. H.S.Sidhu, Advocate for the petitioner
 Mr. Nikhil Chopra, Addl.AG, Punjab

ANIL KSHETARPAL, J (Oral)

The petitioner was placed under suspension from the elected office of Sarpanch of Gram Panchayat, Village Jhaloor, Tehsil and District Barnala on 19.04.2021. The aforesaid order of suspension has been upheld in an appeal by the Additional Chief Secretary, vide an order dated 23.09.2021. As per the report of the Additional Deputy Commissioner (Development), Barnala, the petitioner has permitted misuse of the land by a railway contractor for dumping stones. Through this writ petition, the petitioner assails the correctness of the order passed by the Director, Department of Rural Development and Panchayat, Punjab, as well as the Additional Chief Secretary, Department of Rural Development and Panchayat.

At this stage, Sh. Nikhil Chopra, Addl. AG, Punjab, has entered appearance on behalf of respondent no. 1 to 4 and submits that regular inquiry into the matter is pending before the Divisional Deputy Director, Patiala.

The suspension of an elected office bearer is only an interim

measure and the concerned authority is required to pass an order after holding the regular inquiry. Sh.Chopra has stated that the aforesaid regular inquiry has already been entrusted to the Divisional Deputy Director, Patiala.

Keeping in view the aforesaid facts, this Court does not find it appropriate to interfere at this stage. However, the Director, Rural Development and Panchayat, Punjab, is directed to get the inquiry concluded, positively, within a period of 4 weeks, from today, and thereafter, pass a speaking order, within two weeks, thereafter.

Disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

09.12.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE