

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

(THROUGH VIDEO CONFERENCE)

CWP-2072-2022

Date of Decision:-04.02.2022

Gram Panchayat Jhunir.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

**CORAM:- HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present:- Mr. V.K.Sandhir, Advocate for the Petitioner

Ms. Anju Arora, Additional Advocate General, Punjab.

AUGUSTINE GEORGE MASIH, J.(ORAL)

Learned Counsel for the petitioner submits that challenging the order dated 02.12.2021 (Annexure P-1) passed by the District Development and Panchayat Officer, Mansa exercising the powers of Collector, an appeal has been preferred by the Gram Panchayat along with an application for Stay. Said application for stay and appeal is not being considered and decided for the reason that Special Secretary, Rural Development and Panchayat, Punjab exercising the powers of Commissioner stands transferred and he has relinquished the charge. No officer in his place has been posted leading to the situation where the appeal and application for stay is not being taken up for consideration.

Learned Additional Advocate General, Punjab informs the

Court that for the convenience of the disposal of work, the State of Punjab has been divided into three zones. One of the zones is being dealt with by the Director, Rural Development and Panchayat, Punjab- respondent no.2. The said Authority having been conferred with the powers of Commissioner can consider and decide the appeal of the petitioner, if so, directed by this Court.

Keeping in view the peculiar facts and circumstances of the present case and the difficulty being faced by the petitioner where the statutory appeal along with an application for stay, for want of competent authority being posted is unable to get hearing of its said appeal, we direct the Director Rural Development and Panchayat, Punjab exercising the powers of the Commissioner-respondent no.2 to consider the appeal preferred by the petitioner-Gram Panchayat Jhunir i.e. Appeal no.748 of 2021 filed on 06.12.2021 (Annexure P-2) on the next date of hearing 15.02.2022. In case the appeal is not decided, atleast the application for stay shall be considered and decided by the said authority on the said date.

With these directions/observations the present writ petition stands disposed of.

(AUGUSTINE GEORGE MASIH)
JUDGE

(JASJIT SINGH BEDI)
JUDGE

Feburary 04, 2022
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>