

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(115)

CWP-3500-2023

Date of decision: - 21.02.2023

Gurbinder Singh

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Gurmohan Singh Bedi, Advocate
for the petitioners.

Mr. Ferry Sofat, Additional Advocate General, Punjab
for the respondents.

VIKAS BAHL, J. (ORAL)

This writ petition has been filed under Articles 226/227 of the Constitution of India, for issuance of writ in the nature of certiorari or any other appropriate writ/order of direction for setting aside the impugned order dated 12.01.2023 (Annexure P-8), passed by respondent No.2 whereby respondent No.2 while exercising functions of an appellate authority, in an appeal filed by the petitioner, has dismissed an application for stay of order dated 19.10.2022 (Annexure P-6) passed by respondent No.3.

Learned counsel for the petitioner has submitted that against the order dated 19.10.2022, vide which respondent No.3 has suspended the present petitioner who was working as Sarpanch, the appeal has been

filed by the petitioner on 17.11.2022 along with application for stay and the said case is now pending for 23.03.2023 and has prayed that the petitioner would limit his prayer in the present writ petition for expeditious decision on his appeal, which is pending for 23.03.2023.

Learned State counsel appearing on behalf of the respondents has submitted that every effort would be made by respondent No.2 i.e., Additional Chief Secretary to Government of Punjab, Department of Rural Development Panchayati Raj, before whom the said appeal is pending, to decide the said appeal as expeditiously as possible and in any case, the same would be decided within a period of two months from the date of receipt of certified copy of this order.

Keeping in view the above-said facts and circumstances, the present writ petition is disposed of with a direction to respondent No.2 to decide the appeal filed by the petitioner against the order dated 19.10.2022, within a period of two months from the date of receipt of certified copy of this order.

It is made clear that this Court has not opined on the merits of the case and respondent No.2 would consider the said appeal independently, in accordance with law.

February 21, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No