

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 6425 of 2023(O&M)

Date of Decision:27.03.2023

Zakariya Khan

.....Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr.Mohammad Arshad, Advocate
for the petitioner.

Mr. Ankur Mittal, Addl.AG., Haryana
with Mr. Saurabh Mago, AAG., Haryana.

LISA GILL, J(Oral).

Prayer in this writ petition is for quashing/setting aside order dated 13.03.2023, Annexure P-14, passed by respondent no.7, whereby representation dated 30.11.2022 of the petitioner has been declined.

Learned counsel for the petitioner *inter alia* submits that impugned order dated 13.03.2023, Annexure P-14, has been passed by an incompetent authority i.e., Sub Divisional Officer (C), Firozpur Jhirka.

It is contended that in terms of applicable provisions of Section 177 (2) of the Haryana Panchayati Raj Act, 1994 (for short 'the Act'), it is the Director /Deputy Commissioner, who is the competent officer to pass the order.

Learned counsel for the respondent-State, on instructions from Ms. Navneet Kaur, DDPO, Nuh, submits that communication/order dated 13.03.2023, Annexure P-14, has been returned and decision in question shall be taken by the competent authority i.e., the Director/Deputy Commissioner,

in accordance with law, after considering the facts and circumstances of the case including report by the enquiry officer..

Keeping in view the above, but without expression of any opinion on the merits of the matter, this writ petition is disposed of with a direction to the Director/Deputy Commissioner, Nuh, to conclude the proceedings by passing a speaking order in accordance with law after affording due opportunity of hearing to all concerned.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

March 27 2023.
s.khan

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.