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

CWP-9278-2023 (O&M)
Date of decision : 01.05.2023

Kiranpal Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Nakul Sharma, Advocate for the petitioner.

Mr. Ferry Sofat, Addl. A.G. Punjab
for respondent Nos.1 to 4.

Mr. Manish Joshi, Advocate for Caveator-Hari Singh.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing of order dated 20.04.2023 (Annexure P-6) passed by respondent No.1 whereby the stay application filed by the petitioner in appeal bearing Appeal No.73 of 2023 under Section 20(6) of the Punjab Panchayati Raj Act, titled as “Kiranpal Singh, Sarpanch Vs. Director, Rural Development and Panchayat”, has been declined and the case has been adjourned for written arguments for 08.06.2023.

2. During the course of arguments, a mutual consent has arisen between all the learned counsel for the parties including learned counsel for

the petitioner and Caveator-Hari Singh who had filed the complaint and had also contested the election against the present petitioner and had lost the same, to the effect that since, the main case is pending for 08.06.2023, the operation of the order dated 13.03.2023 be stayed till the time the main appeal is decided by respondent No.1 and have further jointly prayed that respondent No.1 be directed to decide the same, expeditiously, in accordance with law.

3. Keeping in view the abovesaid facts and circumstances and also the consent between learned counsel for the parties, the present Civil Writ Petition is partly allowed and order dated 20.04.2023 to the extent that the stay granted to the petitioner has been declined is set aside and operation of order dated 13.03.2023 is stayed till the time the appeal No.73 of 2023 under Section 20(6) of the Punjab Panchayati Raj Act, 1994 filed by the petitioner is decided by respondent No.1. Respondent No.1 is directed to decide the said appeal as expeditiously as possible.

4. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

01.05.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**