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

CWP-12241-2023

Date of decision: 31.05.2023

Ieja

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vikram Singh, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana
for the respondents.

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 setting aside the order dated 15.05.2023 (Annexure P-3) and further a writ in the nature of mandamus for staying the operation and implementation of the said order dated 15.05.2023.

2. Learned counsel for the petitioner has submitted that against the order dated 15.05.2023, the petitioner had filed an appeal (Annexure P-4) on 19.05.2023 along with an application for stay but in spite of best efforts made by the petitioner and her counsel, the said appeal has not been listed for hearing. It is further submitted that the election for appointing the acting Sarpanch is fixed for 02.06.2023. It is thus, prayed that the appeal of

the petitioner along with application for stay be taken up for preliminary hearing prior to the said date.

3. Learned State Counsel has submitted that in case, the appeal is duly filed by the petitioner then every endeavour would be made by respondent No.1 to take up the same for preliminary hearing along with application for stay prior to 02.06.2023.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to the office of respondent No.1 to put up the appeal, if complete in all respects, before respondent No.1 either today or on 01.06.2023 and respondent No.1 is directed to consider the same for preliminary hearing along with the application for stay and to pass an appropriate order on the stay application on or before 01.06.2023.

5. It is made clear that this Court has not opined on the merits of the case and respondent No.1 would consider the appeal of the petitioner along with the stay application independently and in accordance with law.

31.05.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**