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

CWP-15336-2023

Date of Decision: July 20, 2023

Munshi Ram

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Dr.Anmol Rattan Sidhu, Sr.Advocate with
Mr.Shiv Kumar Sharma, Advocate
for the petitioner.

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RAJESH BHARDWAJ, J.(ORAL)

Instant writ petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of a writ in the nature of certiorari for quashing of order dated 13.07.2023, Annexure P-4, passed by respondent No.1, whereby the appeal of the petitioner under Section 20(6) of the Punjab Panchayati Raj Act, 1994, against the order dated 06.03.2023, Annexure P-1, passed by respondent No.3 suspending the petitioner from the post of Sarpanch, has been dismissed. It is further prayed to issue direction that the order dated 13.07.2023 be kept in abeyance during pendency of this petition.

After hearing learned senior counsel, primarily the Court finds that the petitioner has been suspended vide order dated 06.03.2023, Annexure P-1, and the appeal preferred against the same has also been declined vide impugned order dated 13.07.2023, Annexure P-4. It has been argued that impugned orders are passed during pendency of the enquiry, in

which complete record has not been produced, however, it is apparent from the record that enquiry is pending against the petitioner, which is not yet concluded.

On hearing, though this Court at this stage does not find any merit in the case of the petitioner, however, submission of learned senior counsel that enquiry is pending till date and the same be concluded in a time bound manner, has a merit.

Notice of motion.

On the asking of the Court, Ms.Akshita Chauhan, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondents/State.

Keeping in view the submissions made by counsel for the petitioner, the present petition is disposed of with a direction to respondent No.1, i.e. Financial Commissioner to Government of Punjab, Department of Rural Development and Panchayat, Punjab, Mohali to ensure that enquiry, which is pending against the petitioner, be concluded expeditiously as per law preferably within three months from the date of receipt of certified copy of this order.

However, petitioner would be at liberty to seek his remedy in accordance with law, after conclusion of the enquiry, if he is so advised.

July 20, 2023
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(RAJESH BHARDWAJ)
JUDGE

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |