

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

\*\*\*

CWP-26044-2022

Date of decision : 29.03.2023

Harsangat Singh and another

... Petitioners

Versus

Financial Commissioner and others

... Respondents

**CORAM: HON'BLE MR.JUSTICE VIKAS BAHL**Present: Mr.Manish Kumar Singla, Advocate  
for the petitioners.Mr.Ferry Sofat, Addl.A.G. Punjab  
for the respondents.**VIKAS BAHL, J.(ORAL)**

This is a civil writ petition filed under Articles 226/227 of the Constitution of India for issuance of a writ of certiorari for quashing the order dated 02.03.2022 (Annexure P-1) passed by respondent no.3 as well as order dated 26.05.2022 (Annexure P-3) passed by respondent no.2 vide which the stay prayed for in appeal filed by the petitioners against the order dated 02.03.2022 has been declined.

Learned counsel for the petitioners has submitted that on 16.11.2022, Coordinate Bench of this court had passed the following order:-

*“It is submitted that the State of Punjab was not justified in denying the stay against order of suspension especially when the suspension order has been passed without issuing any notice or granting any opportunity of hearing to the petitioners. The reasons relied upon are not relevant for the purposes of suspending any elected representative of the people.*

*Notice of motion.*

*Mr. Charanpreet Singh, AAG Punjab accepts notice on behalf of the respondents and waives service. He seeks time to file written statement.*

*Adjourned to 29.03.2023.*

*Meanwhile, there shall be a stay of order of suspension.*

*(SUDHIR MITTAL)*

*JUDGE*

*November 16, 2022”*

It is submitted that the appeal before the Additional Chief Secretary, Punjab Government Rural Development and Panchayat Department is still pending and the next date in the case is 20.04.2023 and has prayed that the present petition be disposed of with a direction to the said authorities to decide the same expeditiously and till the time the appeal is not decided, the interim order dated 16.11.2022 passed by Coordinate Bench be continued.

Learned State counsel has submitted that every endeavour would be made by the authorities to decide the case expeditiously.

Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to respondent no.2 to decide the appeal filed by the petitioners against the order dated 02.03.2022 as expeditiously as possible, in accordance with law. The order dated 16.11.2022 passed by Coordinate Bench of this Court staying the order of suspension would continue till the decision of the case.

It is made clear that this Court has not given any opinion on the merits of the case and respondent no.2 would decide the same independently, in accordance with law.

**(VIKAS BAHL)**  
**JUDGE**

**March 29, 2023**

*Davinder Kumar*

Whether speaking / reasoned  
Whether reportable

Yes/No  
Yes/No