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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.23884 of 2023
Date of decision : 19.10.2023

Jaswinder Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Baltej Singh Sidhu, Senior Advocate with
Mr. Chandan Singh, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Present writ petition has been filed for setting aside the order dated 17.08.2023 (Annexure P-16) vide which the appeal filed by the petitioner was dismissed as infructuous by respondent No.2 taking into consideration the notification issued by the State of Punjab vide which the Panchayats in the State of Punjab were dissolved and Administrators were ordered to be appointed to run the day-to-day functions of the Panchayat.

It has been stated by learned counsel for the petitioner that vide order dated 03.04.2023 passed by respondent No.3, petitioner was ordered to be suspended from the post of Sarpanch and the appeal filed by him before respondent No.2 was dismissed as infructuous in view of the notification issued by the Punjab Government which was later on recalled.

Notice of motion.

On asking of the Court, Ms. Akshita Chauhan, DAG, Punjab accepts notice on behalf of the respondents-State.

After hearing counsel for the parties, it is apparent that the appeal filed by the petitioner was disposed of solely on the basis of Notification No.S.O.61/PA9/1994/S.29-A/2023 dated 10.08.2023. However, as submitted before this Court, the same has been subsequently withdrawn. It is also apparent that the appeal filed by the petitioner has not been heard on merits.

Resultantly, the impugned order dated 17.08.2023 (Annexure P-16) is *set aside*. Case/appeal is restored to its original number and is remanded back to respondent No.2 for deciding the appeal on merits expeditiously in accordance with law preferably within one month from the date of receipt of certified copy of the order.

Till the time appeal is decided by respondent No.2, the impugned order dated 03.04.2023 will be kept in abeyance.

(RAJESH BHARDWAJ)
JUDGE

19.10.2023
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No