

CWP-27466-2022

1

2023:PHHC:047178

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-27466-2022

Date of decision : 29.03.2023

Naresh Kumar and others

... 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 01.12.2022, Coordinate Bench of this court had passed the following order:-

"It is submitted that the order impugned in this writ petition has also been impugned in CWP No. 26044 of 2022 and the same is pending adjudication for 29.03.2023.

Notice of motion.

Mr. Gurvinder Singh, AAG Punjab accepts notice on behalf of the respondents and waives service.

Adjourned to 29.03.2022.

To be heard alongwith CWP No. 26044 of 2022.

Interim order in the same terms.

(SUDHIR MITTAL)
JUDGE

December 01, 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 01.12.2022 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 01.12.2022 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	Yes/No
Whether reportable	Yes/No