

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

**CWP-24904-2023 (O&M)
Date of decision: 06.11.2023**

Paramjit Kaur and Anr

....Petitioners

Versus

State of Punjab and Ors

....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Dhirinder Kamal Saldi, Advocate
for the petitioners.

RAJESH BHARDWAJ J. (Oral)

Prayer in this petition is for issuance of a writ in the nature of mandamus directing respondent No.1 to decide the application for stay dated 08.09.2023 filed with appeal No.214 of 2023 on 08.09.2023 against the impugned order dated 07.08.2023 (Annexure P-9) passed by respondent No.2 vide which the petitioners were suspended in violation of the basic principle of natural justice and the principle of equality in an arbitrary manner without providing an opportunity of tendering an explanation in writing in accordance with the proviso to Section 20 of the Punjab Panchayati Raj Act, 1994.

Learned counsel for the petitioner has submitted that the appeal filed by petitioner is pending before respondent No.1 and the same has not been taken up for hearing.

Notice of motion.

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

that the office of respondent No.1 at present is vacant and the new incumbent is likely to be appointed shortly.

Heard. After hearing counsel for the parties and perusing the record, the present petition is disposed of with a direction to respondent No.1 before whom the appeal is stated to be pending, to take up the appeal and hear the parties on stay application and decide the same expeditiously as per law. Since no officer has been appointed in the office of respondent No.1 so the operation of the impugned order dated 07.08.2023 will remain stayed till the hearing of the stay application as stated above.

(RAJESH BHARDWAJ)
JUDGE

06.11.2023

yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No