

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No.26798 of 2023  
Date of decision : 30.11.2023

**Surinder Singh Sarpanch**

..... Petitioner

**Versus**

**State of Punjab and others**

..... Respondents

**CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

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Present: Ms. Raman Rekhi, Advocate  
for the petitioner.

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**RAJESH BHARDWAJ, J. (Oral)**

Present writ petition has been filed for directing respondent No.1 to decide the Appeal dated 17.04.2023 (Annexure P-28) under Section 20(6) of the PPR Act 1994 filed by the petitioner against the impugned suspension order dated 13.03.2023 (Annexure P-27) which is not being heard by respondent No.1 from the date of its filing, resulting in stalling the ongoing Development Works in the village in a time bound manner as the Term of Sarpanch is approaching very fast to expire in December 2023. Further prayer has been made for directing respondent No.1 to decide the stay application as well as appeal filed by the petitioner and for staying the operation of impugned order dated 13.03.2023 (Annexure P-27) till the decision of the appeal.

It has been contended by learned counsel for the petitioner that against the order of suspension dated 13.03.2023, the petitioner filed an appeal along with the stay application before respondent No.1 i.e.

Financial Commissioner, Rural Development & Panchayat Department, Punjab. He submits that thereafter appeal filed by the petitioner had been disposed of as infructuous in view of the notification dated 10.08.2023, which was later on withdrawn. He further submits that till date, neither the appeal along with the stay application filed by the petitioner has been restored nor any decision on merits has been given on the same.

Notice of motion to the official respondents at this stage.

On asking of the Court, Ms. Akshita Chauhan, DAG, Punjab appears and accepts notice on behalf of respondents No.1 to 4. She, on instructions has submitted that the appeal was disposed of as infructuous and the notification was later on withdrawn.

After hearing learned counsel for both the parties, the present petition stands disposed of with a direction to respondent No.1 i.e. the Financial Commissioner, Rural Development & Panchayat Department, Punjab to restore the appeal to its original number and take up the same along with the stay application filed by the petitioner and decide the stay application expeditiously in accordance with law.

Operation of the impugned order dated 13.03.2023 (Annexure P-27) shall remain stayed till the decision of the stay application by respondent No.1 i.e. Financial Commissioner, Rural Development & Panchayat Department, Punjab.

**30.11.2023**

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**(RAJESH BHARDWAJ)**  
**JUDGE**

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