

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

CWP-27930-2023

Date of decision : 13.12.2023

Ranjit Singh Ran and others

.....Petitioners

versus

Financial Commissioner and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Angraze Singh, Dhindsa, Advocate
for the petitioners.

RAJESH BHARDWAJ, J. (Oral)

Petitioners have approached this Court praying for quashing the order dated 17.08.2023 (Annexure P-3) vide which the appeal of the appellant is dismissed as infructuous by the Financial Commissioner Punjab, Rural Development and Panchayat Department (Exercising the Power of State) and order dated 13.04.2023 (Annexure P-1) vide which the learned Director Rural Development and Panchayat Department, Punjab has suspended the petitioners.

Learned counsel for the petitioners has submitted before this Court that the petitioners were illegally suspended and the appeal filed by the petitioner was disposed of as infructuous in view of the Notification dated 10.08.2023. He submits that subsequently the said Notification has been withdrawn by the State and thus, the petitioner has suffered an irreparable loss.

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 petitioners 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 However, as submitted before this Court, the same has been subsequently withdrawn.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 petitioners has not been heard on merits.

Resultantly, the impugned order dated 17.08.2023 (Annexure P-3) is *set aside*. Case/Appeal before respondent No.1 is restored to its original number and is remanded back to respondent No.1 for deciding the same on merits in accordance with law expeditiously preferably within two weeks from the date of receipt of certified copy of this order.

Till the decision of appeal by respondent No.1, operation of the impugned order dated 13.04.2023 (Annexure P-1) would remain stayed. Respondent No.1 is directed to hear the parties and decide the appeal in accordance with law.

13.12.2023
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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