

116

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

CWP-28180-2023

Date of Decision: December 15, 2023

Satpal Singh Randhawa

.....Petitioner

Versus

Learned Additional Chief Secretary/Principal Secretary and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Paritosh Vaid, Advocate
for the petitioner.

.....

RAJESH BHARDWAJ, J.(ORAL)

Petitioner has approached this Court for issuance of direction to respondent No.1 to pass appropriate administrative orders for making necessary arrangements for reviving the appeal, i.e. Appeal No.24 of 2021, which was dismissed being infructuous on 24.08.2023 in view of Notification No.S.O.61/P/A.9/1994/S.29-A/2023, dated 10.08.2023, Annexure P-6, whereby the Punjab Government had dissolved all the Gram Panchayats across the State of Punjab, however, subsequently, the Government of Punjab withdrew the Notification dated 10.08.2023 and all the Gram Panchayats across the State of Punjab were restored vide notification No.S.O.74/P.A.9/1994/Ss.29-A, 114-A and 178-A/2023, dated 04.09.2023, Annexure P-7. It is further prayed to set aside the order dated 01.03.2021, Annexure P-4, passed by learned Director, Rural Development & Panchayats, Punjab (respondent No.2), under the Punjab Panchayati Raj Act, 1994.

Learned counsel for the petitioner has submitted before this Court

that the petitioner was illegally suspended and the appeal filed by the petitioner was dismissed 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 He submits that subsequently the said Notification has been withdrawn by the State and thus, the petitioner has suffered an irreparable loss.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 petitioner was dismissed as infructuous 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 However, as submitted before this Court, the same has been subsequently withdrawn.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 24.08.2023 is *set aside*. Case/Appeal before respondent No.1 is restored to its original number and is remanded back to respondent No.1-Additional Chief Secretary/Principal Secretary, Rural Development and Panchayats, Punjab, 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 01.03.2021 (issued on 05.03.2021) would remain stayed. Respondent No.1 is directed to hear the parties and decide the appeal in accordance with law.

December 15, 2023
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(RAJESH BHARDWAJ)
JUDGE

- 1. Whether speaking/reasoned ?
- 2. Whether reportable ?

Yes/No
Yes/No