

THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No.554 of 2024  
Date of Decision: 11.01.2024

Rajender Kumar ..... Petitioner

Versus

State of Haryana and others ..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

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Present: Mr. Ashok Kaushik, Advocate  
for the petitioner.

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RAJESH BHARDWAJ, J. (ORAL)

Present writ petition has been filed for quashing the order dated 13.12.2023 (Annexure P-8) whereby the matter has been remanded back to decide afresh after inquired by higher officer regarding encroachment and comments about the wrong no dues given by electricity department. Further prayer has been made for directing respondent No.3 to decide the matter remanded by respondent No.2 against Sarpanch Gram Panchayat Shahupura Khadar Sub Tehsil Mohana, District Faridabad.

Learned counsel for the petitioner has submitted that earlier the petitioner had filed CWP No.19918 of 2023 before this Court to decide the complaint dated 01.12.2022 pending against the Sarpanch Gram Panchayat Shahpura Khadar Sub Tehsil Mohana, District Faridabad before Deputy Commissioner, Faridabad. However, the same was disposed of with a direction to respondent No.3 i.e. the Deputy Commissioner, Faridabad to decide the complaint dated 01.12.2022 filed by the petitioner in accordance with law within a period of four weeks. He further submits that respondent

No.3 has decided the complaint vide order dated 11.10.2023 and Sarpanch of village Shahpura Khadar was declared disqualified. He has submitted that against the order of respondent No.3 dated 11.10.2023, respondent No.7 filed an appeal before the Commissioner, Faridabad i.e. respondent No.2, who decided the same vide order dated 13.12.2023 and remanded the case to respondent No.3 with a direction to decide the case afresh after inquiring by higher officer and commenting upon the no dues issued by electricity department. Hence, the petitioner is before this Court by way of filing the present petition.

Notice of motion to the official respondents at this stage.

On asking of the Court, Ms. Upasna Dhawan, AAG, Haryana appears and accepts notice on behalf of respondents No.1 to 6. She, on instructions, has submitted that cognizance of the complaint filed by the petitioner has already been taken by the Deputy Commissioner, Faridabad and the inquiry has been marked to the ADC. She submits that the same would be completed within a period of two months

In view of the submissions made, the present petition is disposed of with a direction to respondent No.3 i.e. the Deputy Commissioner, Faridabad to ensure that the inquiry entrusted to the ADC be completed in accordance with law within a period of two months from today. However, the petitioner would be at liberty to pursue his remedy in case any further cause of action arises.

(RAJESH BHARDWAJ)  
JUDGE

11.01.2024

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