

THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.1054 of 2024
Date of Decision: 18.01.2024

Harjit Kaur (Sarpanch)
..... Petitioner

Versus

Financial Commissioner to Government Punjab and others
..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

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

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-7) under Section 20(6) of the Punjab Panchayati Raj Act, 1994 filed by the petitioner against the impugned suspension order dated 21.07.2022 (Annexure P-5) which has been adjourned to number of dates but has not been 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 the petitioner Sarpanch is approaching very fast to expire in February 2023.

It has been fairly submitted by learned counsel for the petitioner that against the order of suspension dated 21.07.2022, the petitioner filed an appeal under Section 20(6) of the Punjab Panchahyati

Raj Act, 1994 along with the stay application before the learned Financial Commissioner i.e. respondent No.1. She has submitted that there are arguable points in the appeal filed by the petitioner but the stay application has been declined by ignoring the same vide order dated 05.05.2023. She submits that thereafter appeal filed by the petitioner was disposed of as infructuous in view of the notification dated 10.08.2023, which was later on withdrawn. She further submits that till date, neither the appeal 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appeal was disposed of as infructuous on the basis of notification dated 10.08.2023 and the notification was later on withdrawn.

On hearing learned counsel for the parties, the present petition stands disposed of with the direction to respondent No.1- Financial Commissioner to Government of Punjab to restore the appeal filed by the petitioner to its original number and decide the stay application expeditiously in accordance with law.

(RAJESH BHARDWAJ)
JUDGE

18.01.2024

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