

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

CWP-2029-2024

Decided on: 01.02.2024

Harjit Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Raj Kumar Garg Advocate, for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for quashing the order dated 21.03.2022 (Annexure P-3) and order dated 24.08.2023 (Annexure P-6) dismissing the appeal as infructuous when the Gram Panchayats have been dissolved in view of a notification and lateron the said notification withdrawn by respondent No.1.

Learned counsel for the petitioner has submitted before this Court that the petitioner was illegally suspended and the appeal filed by the petitioner was disposed of on 24.08.2023 as infructuous in view of the notification dated 10.08.2023. He submits that subsequently the said notification was withdrawn by the State and thus, the petitioner has suffered an irreparable loss.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 disposed of solely on the basis of notification No.S.O.61/P.A.9/1994/S.29-A/2023 dated 10.08.2023. However, as submitted

before this Court, the same was subsequently withdrawn.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 (Annexure P-6) is set aside. Case/appeal is restored to its original number and is remanded back to respondent No.1-Financial Commissioner, Rural Development and Panchayat Department, SAS Nagar, Punjab for deciding the same as per law. The appeal be decided expeditiously in accordance with law preferably within two weeks from the date of receipt of certified copy of the order.

Till the time appeal is decided by Financial Commissioner, the impugned order dated 21.03.2022 (Annexure P-3) is stayed.

(RAJESH BHARDWAJ)
JUDGE

01.02.2024
sharmila

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No