

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(Sr. No. 116)

LPA No.419 of 2024 (O&M)

Date of decision: 08.02.2024

Sanjida

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr. Vinay Kumar Pandey, Advocate for the petitioner.

* * *

DEEPAK SIBAL, J. (Oral)

(1) Learned counsel for the appellant submits that between the date of dismissal of the appellant's writ petition by the learned Single Judge and today, the following 03 events have taken place :-

- (i) Through order dated 01.02.2024 passed under Section 51 (1) (A) of the Haryana Panchayati Raj Act, 1994 (for short – the 1994 Act) the appellant has been suspended;
- (ii) On 01.02.2024 an FIR under Sections 420, 467, 468 and 471 IPC has been registered against the appellant at Police Station, Pinangwa and
- (iii) Through an order dated 02.02.2024 passed by the Block Development and Panchayat Officer, Pinangwa (for short – BDPO), elections for appointment of a Sarpanch of village Dungeja have been ordered to be conducted on 12.02.2024.

(2) Learned counsel for the appellant further submits that in the light of the afore developments the appellant be permitted to withdraw the present appeal with liberty to her to take recourse to her legal remedies available to her under the criminal law against the FIR lodged against her and to take recourse to her remedy under Section 51(5) of the 1994 Act against her suspension order as also file an independent writ petition against the order dated 02.02.2024 through which fresh elections have been ordered to be held to the post of Sarpanch of village Dungeja.

(3) Dismissed as withdrawn with the afore liberties as prayed for.

(4) In the peculiar facts of the case, if the appeal under Section 51(5) of the 1994 Act, the liberty for the filing of which has been sought and got through the instant order, is filed by the appellant against her suspension, the appellate authority is directed to take a final decision thereupon expeditiously but not later than one month from the date of its filing, in accordance with law.

(DEEPAK SIBAL)
JUDGE

08.02.2024
sunil yadav

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No