

THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.2736 of 2024
Date of Decision: 07.02.2024

Deen Mohammad
..... Petitioner

Versus

State of Haryana and others
..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Vikram Singh, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (ORAL)

Present writ petition has been filed for staying the operation of the order dated 01.02.2024 (Annexure P-4) passed by respondent No.3 during the pendency of the appeal dated 02.02.2024 (Annexure P-5) as respondent No.2 straightway adjourned the case for 21.02.2024 without hearing the stay application whereas the matter is of urgent nature as the petitioner being elected Sarpanch has been removed from the post of Sarpanch.

Learned counsel for the petitioner has submitted that the appeal along with the stay application has been fixed for 21.02.2024. He submits that letter dated 02.02.2024 has been issued by respondent No.4 for taking the charge from the petitioner whereas the stay application is not heard till date.

Notice of motion.

On asking of the Court, Ms. Upasna Dhawan, AAG, Haryana appears and accepts notice on behalf of the respondents-State. She, on instructions from Mr. Divakar, Reader, has submitted that the stay application would be heard by respondent No.2 on the date fixed i.e. 21.02.2024.

At this stage, Mr. Gaurav Jaglan, Advocate has appeared and filed his vakalatnama on behalf of complainant today in the Court and the same is taken on record.

After hearing learned counsel for the parties and perusing the record, it is apparent that the appeal along with the stay application filed by the petitioner is fixed for consideration on 21.02.2024 before respondent No.2. The letter dated 02.02.2024 for taking the charge has already been issued.

In view of the facts and circumstances of the case, the present petition is disposed of with a direction to respondent No.2-the Commissioner, Faridabad Division, Faridabad to decide the stay application filed by the petitioner along with the appeal in accordance with law on the date fixed i.e. 21.02.2024.

(RAJESH BHARDWAJ)
JUDGE

07.02.2024

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