

THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.3185 of 2024
Date of Decision: 13.02.2024

Nardev Singh
..... Petitioner

Versus

State of Punjab and others
..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Baldev Singh Sidhu, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (ORAL)

Present writ petition has been filed for directing respondent No.1 i.e. Financial Commissioner, Department of Rural Development to decide the stay application of the petitioner filed along with the statutory appeal. Further prayer has been made that the impugned order dated 08.12.2023 (Annexure P-1) passed by respondent No.2 whereby the petitioner has been placed under suspension from the post of Sarpanch illegally may kindly be stayed during the pendency of this petition as the petitioner filed the statutory appeal along with stay application on 06.01.2024 but the Appellate Authority has not considered the stay application and the appeal has been adjourned time and again and not is fixed for 22.02.2024.

Learned counsel for the petitioner has submitted that the petitioner is the elected Sarpanch, who has been illegally suspended by

the Director vide order dated 08.12.2023. He submits that the petitioner has assailed the same by way of filing an appeal along with the stay application, which is pending adjudication before respondent No.1. He submits that the stay application has not been decided till date and now the next date fixed before respondent No.1 is 22.02.2024.

Notice of motion.

On asking of the Court, Mr. Tribhawan Singla, Sr. DAG, Punjab appears and accepts notice on behalf of the respondents-State. He, on instructions has submitted that the appeal along with the stay application is fixed for 22.02.2024 before respondent No.1.

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 22.02.2024 before respondent No.1.

In view of the facts and circumstances of the case, the present petition is disposed of with a direction to respondent No.1-the Financial Commissioner, Department of Rural Development and Panchayat, Punjab to decide the stay application filed by the petitioner along with the appeal on the date fixed i.e. 22.02.2024 after hearing both the sides in accordance with law.

(RAJESH BHARDWAJ)
JUDGE

13.02.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No