

THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.4718 of 2024
Date of Decision: 29.02.2024

Nusrat Ali
..... Petitioner

Versus

State of Haryana and others
..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. R. Kartikeya, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (ORAL)

Present writ petition has been filed for quashing the impugned order dated 18.10.2023 (Annexure P-11) whereby respondent No.2 without jurisdiction directed for holding fresh enquiry in the absence of any challenge to the enquiry proceedings by the private respondent and for directing the respondents to appoint an officiating Panch till the holding of fresh elections for village and for declaration of the petitioner as the Panch.

Learned counsel for the petitioner has submitted that the case was remanded by the learned Commissioner vide order dated 18.10.2023 but till date no action has been taken on the same. He has submitted that earlier enquiry was conducted on the direction of Additional Deputy Commissioner, Nuh. He has submitted that the case

was remanded by the Commissioner with a direction to complete the enquiry within two months.

Notice of motion to the official respondents at this stage.

On asking of the Court, Ms. Upasna Dhawan, AAG, Haryana appears and accepts notice on behalf of respondents No.1 to 4-State. She, on instructions from Rajesh Tiwana, BDPO, Nuh has submitted that the case is now pending before the Additional Deputy Commissioner and the enquiry as directed by the Appellate Authority while remanding the case would be completed within a month.

On oral request made by learned counsel for the State, the Additional Deputy Commissioner, Nuh is ordered to be impleaded as respondent No.6 in the present petition. Registry is directed to carry out the necessary correction in the memo of parties.

In view of the above position, the present petition is disposed of with a direction to respondent No.3 i.e. Deputy Commissioner, Nuh to ensure that the enquiry is completed by the Additional Deputy Commissioner, Nuh i.e. newly added respondent No.6 within a period of one month from the date of receipt of copy of this order. However, the petitioner would be at liberty to avail his remedy in case any further cause of action accrues.

(RAJESH BHARDWAJ)
JUDGE

29.02.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No