

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

CWP-5056-2024

Date of decision 04.03.2024

Harbans Kaur

.....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)

Prayer in the present petition is for staying the operation of the order dated 29.12.2023 (Annexure P-1) passed by respondent No.3 during the pendency of the appeal dated 18.01.2024 (Annexure P-3) as respondent No.2 straightway adjourned the case for 21.03.2024 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.

It has been submitted by learned counsel for the petitioner that the petitioner has been removed from the post of Sarpanch totally in violation of the statutory provisions of Haryana Panchayati Raj Act. He submits that aggrieved by the removal order, the petitioner filed an appeal alongwith stay application, but the same is not heard till date.

Notice of motion.

On asking of the Court, Ms. Upasana Dhawan, Assistant Advocate General, Haryana accepts notice on behalf of the respondents-State. On instructions from Mr. Sant, ADA, Divisional Commissioner, Karnal, she has submitted that the appeal filed by the petitioner alongwith

the stay application is fixed for hearing on 21.03.2024 and the stay application would be decided on the date fixed after hearing the petitioner.

After hearing counsel for the parties and perusing the record, the present petition is disposed of with a direction to respondent No.2 i.e. Commissioner, Karnal before whom the appeal is stated to be pending, to take up the appeal alongwith stay application on 21.03.2024 and hear the parties on stay application and decide the same expeditiously as per law. Till 21.03.2024 *status quo* will be maintained.

04.03.2024
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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