

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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LPA-627-2024 (O&M)
Date of decision: 04.03.2024

LAKHVIR SINGH

...Appellant

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

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

Present: Mr. Sartaj Singh Gill, Advocate
for the appellant.

DEEPAK SIBAL, J.(ORAL)

(1) The appellant had petitioned this Court to challenge therein orders dated 26.10.2023 (Annexures P-5 & P-6) passed by the Financial Commissioner, Department of Rural Development and Panchayats, Punjab (for short – FC) whereby the order dated 30.01.2023 passed by the Director, Department of Rural Development and Panchayats, Punjab (for short – the Director) suspending respondents No.4 & 5 was quashed and the matter was remanded to the Director to pass appropriate orders in accordance with law. Also under challenge was the order of the Director dated 01.12.2023 (Annexure P-7) whereby in pursuance to aforesaid orders of the FC dated 26.10.2023, respondents No.4 & 5 were directed to be reinstated as Sarpanch and Panch of the Village Boot, Block Dhilwan, Tehsil Kapurthala, District Kapurthala.

(2) After hearing learned counsel for the appellant and going through the record of the case, we find that the appellant's writ petition was dismissed by the learned Single Judge after noticing the fact that respondents No.4 & 5 had been suspended pending holding of a regular enquiry against them but since the regular enquiry had resulted in their exoneration, there was no question of continuance of their suspension.

(3) In the afore findings of the learned Single Judge, no error is found in fact and law as once after holding of a regular enquiry, respondents No.4 & 5 have been exonerated of the charges leveled against them, the FC rightly ordered setting aside of their suspension orders. On the same analogy no fault is also found in the consequent order of the Director reinstating respondents No.4 & 5.

(4) Dismissed.

(5) All pending miscellaneous application(s) also stand disposed of.

(DEEPAK SIBAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

March 04, 2024
Nisha Yadav

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No