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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-5957-2024

Date of Decision: April 03, 2024

Suresh Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Vishal Singh Borwal, Advocate
for the petitioner.

.....

RAJESH BHARDWAJ, J.(ORAL)

Prayer in the present petition is for quashing/setting aside the impugned speaking order, dated 05.02.2024, Annexure P-11, passed by respondent No.2, i.e. Deputy Commissioner, Bhiwani, being illegal, arbitrary and against the provisions of Haryana Panchayat Raj Act (for short,`the Act'). It is further prayed to direct the respondent/authorities to suspend respondent No.4-Rajesh Kumar (Sarpanch) with immediate effect in view of Enquiry report, dated 06.02.2023, Annexure P-3, and also in accordance with the Act.

It has been submitted by counsel for the petitioner that learned Deputy Commissioner has passed the order dated 05.02.2024 rejecting the representation filed by the petitioner on the ground that election petition titled as **Sube Singh vs Rajesh etc.** is pending adjudication. It is submitted that this election petition has been disposed of as the same has been withdrawn vide order dated 15.03.2024 and, thus, representation of the petitioner should be decided on merits.

Notice of motion to the officials respondents only.

On asking of the Court, Mr.Rajneesh Chadwal, AAG, Haryana, who is present in Court, accepts notice on behalf of the State.

After hearing learned counsel for the parties, it is apparent, as submitted by counsel for the petitioner, that the election petition has been dismissed as withdrawn. Thus, the present petition is disposed of with liberty to the petitioner to file a fresh representation/petition before respondent No.2, i.e. Deputy Commissioner, Bhiwani, within ten days from today and if any representation/petition is filed within the stipulated period, the same be decided by respondent No.2 expeditiously in accordance with law.

April 03, 2024

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(RAJESH BHARDWAJ)

JUDGE

- 1. Whether speaking/reasoned ?
- 2. Whether reportable ?

Yes/No
Yes/No