

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

**CWP No.6328 of 2024
Date of Decision: 18.03.2024**

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..... 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)

Present writ petition has been filed for staying the operation of order dated 04.03.2024 (Annexure P-1) passed by respondent No.3 during the pendency of appeal dated 09.03.2024 (Annexure P-2) as respondent No.2 straight way adjourned the case for 13.04.2024 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 inadvertently in the memo of parties, respondent No.2 i.e. Commissioner, Ambala Division, Ambala has been inadvertently typed as respondent No.3 and the same may be corrected as such.

In view of oral request made by learned counsel for the petitioner, respondent No.3 i.e. Commissioner, Ambala Division, Ambala

be now read as respondent No.2 i.e. Commissioner, Ambala Division, Ambala. Registry is directed to carry out the necessary correction in the memo of parties.

Learned counsel for the petitioner has submitted that the petitioner is the elected sarpanch, who was illegally suspended by respondent No.3 vide his order dated 04.03.2024. He submits that aggrieved by the same, the petitioner filed an appeal along with stay application before respondent No.2. However, the same has not been decided till date. He further submits that even the stay application is also pending till date.

Notice of motion.

On asking of the Court, Ms. Upasna Dhawan, AAG, Haryana appears and accepts notice on behalf of the respondents-State. She, however on instructions has submitted that the appeal filed by the petitioner along with the stay application is fixed for hearing on 03.04.2024 and the same would be heard on the date fixed.

On hearing learned counsel for the parties and perusing the record, it is apparent that the appeal along with stay application filed by the petitioner is fixed for consideration on 03.04.2024 before respondent No.2.

In view of the facts and circumstances of the case, the present petition is disposed of with a direction to respondent No.2- Commissioner, Ambala Division, Ambala to take up the appeal filed by

the petitioner along with the stay application on the date fixed i.e. 03.04.2024 and hear the parties on stay application and decide the same expeditiously in accordance with law.

(RAJESH BHARDWAJ)
JUDGE

18.03.2024

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