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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-14696-2024
Date of Decision: 02.07.2024

Bikkar Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Nakul Sharma, Advocate
for the petitioner.

Mr. Navneet Singh, Senior DAG, Punjab.

Mr. Paras Jagga, Advocate
for respondent No.6.

HARSH BUNGER J. (ORAL)

1. Prayer in the instant writ petition filed under Articles 226/227 of the Constitution of India is *inter alia* for issuance of a writ in the nature of Mandamus for directing respondent No.2 to stay order dated 13.09.2023 (Annexure P-8) passed by the District Development and Panchayat Officer, Fatehgarh Sahib (respondent No.4) as well as order dated 31.03.2023 (Annexure P-3) passed by the Block Development and Panchayat Officer, Amloh, District Fatehgarh Sahib (respondent No.6).

2. It is the plea of the petitioner that he has already availed his legal remedy against aforesaid orders (Annexures P-3 and P-8), by filing Revision Petition bearing No.330 of 2024 titled as “*Bikkar Singh Vs.*

District Development and Panchayat Officer, Fatehgarh Sahib and others”, which is pending before the Court of Director, Rural Development and Panchayats Department, Punjab (respondent No.2).

3. Learned counsel for the petitioner submits that the aforesaid revision petition was listed on 14.06.2024 and thereafter on 21.06.2024, before the concerned Officer, however, no hearing has been done either on the stay application filed by the petitioner along with the revision petition or on the revision petition itself.

4. The instant matter was listed on 01.07.2024 before this Court and learned State counsel had sought time to seek instructions.

5. Today, learned State counsel has informed that the Presiding Officer has gone to the Lal Bahadur Shastri National Academy of Administration, Mussoorie, for training and he will join his office on 14.07.2024. Learned State counsel has further submitted that in any case, the stay application filed by the petitioner along with the revision petition, which is pending before respondent No.2 herein, shall be decided positively by 26.07.2024.

6. In view of the aforesaid facts and circumstances of the case, the present petition is disposed of with a direction to respondent No.2 (Director, Rural Development and Panchayats Department, Punjab) to decide the stay application filed by the petitioner along with the Revision Petition bearing No.330 of 2024 titled as *“Bikkar Singh Vs. District Development and Panchayat Officer, Fatehgarh Sahib and others”* positively by 26.07.2024 by way of passing a speaking order after affording due opportunity of hearing to all the concerned parties. It is further directed that until the said stay application is decided, order of recovery dated

31.03.2023 (Annexure P-3) passed by the Block Development and Panchayat Officer, Amloh, be kept in abeyance.

7. It is made clear that this order shall not be treated as an expression of opinion on merits of the case and the Officer concerned shall decide the said application/revision petition without being influenced by this order.

8. The present petition is accordingly disposed of.

9. All pending application(s), if any, shall also stand closed.

02.07.2024
Apurva

(HARSH BUNGER)
JUDGE

- 1. Whether speaking/reasoned : Yes/No
- 2. Whether reportable : Yes/No