

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

CWP-1764-2024

Date of decision : 22.03.2024

Kuldip Singh

.....Petitioner

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Amit Jain, Advocate for
Mr. Nitish Garg, Advocate for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for issuance of a writ in the nature of certiorari quashing the impugned order dated 26.10.2023 (Annexure P-5) passed by respondent No.2 whereby the order dated 10.04.2023 (Annexure P-4) passed by respondent No.3 has been set aside and direction be given to respondent No.3 to hear/decide the matter afresh with a further prayer for staying the impugned order dated 26.10.2023.

Learned counsel for the petitioner has submitted that respondent No.4 has illegally cut down the trees standing in the Shamshan Ghat and pond and sold the same without passing any resolution, munadi or any sanction and further land measuring 3 kanal and 6 marlas has wrongly been given on lease without showing the same in the record. In this regard, an inquiry was conducted and respondent No.3-Director Rural Development and Panchayat Department, SAS Nagar, Mohali, Punjab, passed a suspension order dated 10.04.2023, against respondent No.4. Aggrieved by the same, respondent No.4 had preferred an appeal before respondent No.2, who vide his order dated 26.10.2023 set aside the order

dated 10.04.2023 passed by respondent No.3 and remanded the matter to decide afresh.

Notice of motion.

On asking of Court, Mr. Navneet Singh, Senior DAG, Punjab accepts notice on behalf of the respondents-State. He has placed on record the order dated 18.03.2024, which has been passed by the Director, Rural Development and Panchayat Department, after the remand. He has submitted that after passing of the said order, the petitioner has an independent remedy to assail the same.

In view of the submissions made, it is apparent that after the remand of the case, the Director, Rural Development and Panchayat Department has passed a fresh order dated 18.03.2024.

In view of the above, the present petition is disposed of with liberty to the petitioner to avail his remedy against the said order as available to him, in accordance with law.

(RAJESH BHARDWAJ)
JUDGE

22.03.2024
ps-I

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