

2025:PHHC:091051



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

**CWP-20004-2025
Date of Decision: 22.07.2025**

Yashvir Singh

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

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

Ms. Upasana Dhawan, AAG, Haryana.

Ms. Anita Balyan, Advocate
for respondent No.4.

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, for issuance of a writ in the nature of Certiorari for setting aside order dated 10.07.2025 (Annexure P-6) passed by the learned Divisional Commissioner, Rohtak.

2. Briefly, respondent No.4 – Shivraj was elected as the Sarpanch of Village Bhaini Chanderpal, Tehsil Meham, District Rohtak. It appears that the petitioner submitted a complaint against respondent No.4, which was duly inquired into, and he was placed under suspension with immediate effect vide order dated 20.06.2025 (Annexure P-4), passed by the learned Deputy Commissioner, Rohtak under Section 51 of the Haryana Panchayati

Raj Act, 1994.

2.1 Feeling aggrieved against the order dated 20.06.2025 (Annexure P-4), respondent No.4 preferred an appeal before the learned Divisional Commissioner, Rohtak, which has been allowed vide order dated 10.07.2025 (Annexure P-6), whereby the suspension order dated 20.06.2025 (Annexure P-4) has been stayed and the matter has been remanded to the learned Deputy Commissioner, Rohtak for fresh decision.

3. Learned counsel for the petitioner submits that before passing the order dated 10.07.2025 (Annexure P-6), no opportunity of hearing was afforded to the petitioner nor any notice was issued to him.

4. At this stage, learned State counsel, on instructions from Mr. Narender Dahiya, Reader, Office of the Divisional Commissioner, Rohtak, as well as learned counsel for respondent No.4 do not dispute the aforesaid contention raised by learned counsel for the petitioner. They further submit that in the given circumstances, the impugned order dated 10.07.2025 (Annexure P-6) may be set aside and the matter be remanded to the learned Divisional Commissioner, Rohtak for a fresh decision on the appeal preferred by respondent No.4, after affording due opportunity of hearing to all concerned parties.

5. Keeping in view the aforesaid submissions made by learned counsel for the parties, the present writ petition is partly allowed and order dated 10.07.2025 (Annexure P-6) is set aside. Learned Divisional Commissioner, Rohtak is directed to decide the appeal preferred by respondent No.4 against his suspension order dated 20.06.2025 (Annexure P-4), afresh after issuing notice to the petitioner and/or other concerned parties and by passing a speaking order after affording due opportunity of hearing to all concerned parties, in accordance with law.

6. The writ petition stands disposed of, accordingly.
7. All the pending application(s), if any, shall also stand closed.

22.07.2025

Apurva

(HARSH BUNGER)
JUDGE

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