



LPA-1602-2025 (O&M) 1

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

**(235) LPA-1602-2025 (O&M)
Date of Decision : January 29, 2026**

Kuldeep Kumar .. Appellant

Versus

The Commissioner, Karnal Division, Karnal and others .. Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Prateek Gupta, Advocate, for the appellant.

Mr. Aman Mittal, DAG, Haryana.

Mr. Mohit, Advocate, for respondent No.4.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present Letters Patent Appeal, the challenge is to the order dated 12.03.2025 passed by the learned Single Judge in CWP No.31682 of 2024 whereby, the writ petition filed by the petitioner Kuldeep Kumar (appellant herein) has been dismissed.

2. Learned counsel for the appellant submits that as the appellant is ordered to discharge the duties of the post of Sarpanch, the only grievance raised by the learned counsel for the appellant is that if an enquiry is to be conducted against the appellant for any alleged misconduct, the same should be done on the basis of evidence/record brought before the Enquiry Officer rather than being influenced by any observation made by the learned Single Judge while passing the impugned order dated 12.03.2025.

3. Learned State counsel as well as learned counsel for respondent No.4 raises no objection to the said proposition and submits that let the

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enquiry initiated against the appellant be concluded in a time bound manner and the observation of the learned Single Judge, be taken as the sole criteria to indict the appellant in such enquiry.

4. Keeping in view the agreement between the parties, the present appeal is disposed of that without being influenced by any observation made by the learned Single Judge, in case any enquiry is to be conducted against the appellant, the same will be done in accordance with law and the said enquiry will be finalized on the basis of the evidence/documents brought on record in such enquiry.

5. Learned counsel for the appellant further submits that without there being any charge proved, the criminal complaint should not be lodged.

6. Learned State counsel as well as learned counsel for respondent No.4 submits that in case, in the enquiry so conducted, any material is collected against the appellant which also invites criminal prosecution then only criminal action will be taken.

7. Learned counsel for the appellant submits that keeping in view the submissions made by learned State counsel as well as learned counsel for respondent No.4, the present appeal may kindly be disposed of having been not pressed any further.

8. Ordered accordingly.

9. Before parting, it may be noticed that the alleged irregularities/misconduct on the part of the appellant can be enquired into by the competent authority concerned in accordance with law and appropriate action including criminal prosecution can be taken in case such allegation/misconduct is proved.



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10. Interim order granted by this Court vide order dated 03.07.2025 merges with the present order.

11. Civil miscellaneous application pending if any, also stands disposed of.

**(HARSIMRAN SINGH SETHI)
JUDGE**

January 29, 2026
harsha

**(VIKAS SURI)
JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : No