



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

CWP-19214-2026

Date of decision : 01.07.2026

JAI KANWAR

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Surinder Dagar, Advocate for the petitioner.

Mr. Pankaj Mulwani, Sr. DAG, Haryana.

Mr. Vikram Singh, Advocate for respondent No.6.

PANKAJ JAIN, J. (ORAL)

The present writ petition is directed against order dated 03.04.2026 passed by Commissioner, Rohtak Division, Rohtak in an appeal preferred under Section 51 of the Haryana Panchayati Raj Act, 1994 (hereinafter referred to as '1994 Act') whereby order dated 13.01.2026 passed by Deputy Commissioner, Sonipat, has been set aside.

2. Respondent No.3 vide order dated 13.01.2026 ordered removal of respondent No.6 from the post of Sarpanch, Gram Panchayat Safiabab, Sub-Tehsil Rai, District Sonipat holding him guilty of having encroached upon the public passage. Order was passed relying on the demarcation report filed by Field Kanungo Rai, dated 10.01.2026.

3. Respondent No.6 filed an appeal before the Commissioner under Section 51 of 1994 Act. Vide impugned order, Commissioner accepted the appeal and has set aside the order passed by Deputy Commissioner.

4. Having heard counsel for the parties and from the perusal of the impugned order, this Court finds that the order passed by the Commissioner is completely vague as the same does not meet with the reasonings recorded by the Deputy Commissioner while removing respondent No.6.

5. With the consent of the counsels representing the parties, the impugned order dated 03.04.2026 passed by the Commissioner, Rohtak Division, Rohtak, is hereby set aside. He is directed to decide the appeal afresh in accordance with law.

6. Counsels representing the parties are *ad idem* that during the pendency of the appeal before the Commissioner, operation of the order of removal of respondent No.6 from the post of Sarpanch, remained in abeyance.

6.1. Accordingly, it is ordered that the removal of respondent No.6 be kept in abeyance till the date the appeal is finally decided.

7. The Commissionr shall decide the appeal expeditiously preferably within a period of eight weeks from the date of receipt of certified copy of this order.

8. The parties shall appear before the Commissioner on **15.07.2026**.

9. The instant writ petition is accordingly, disposed off.

10. Needless to say, nothing observed herein shall be construed as an expression of opinion on the merits of the case. The appeal shall be decided in accordance with law without being prejudiced by any observation made in this order.

July 01, 2026

(Pankaj Jain)

Dpr

Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No