



CWP-35338-2025 (O&M) -1-

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

125

CWP-35338-2025 (O&M)
Date of decision:07.05.2026

Gian Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. S. S. Ranghi, Sr. Advocate, assisted by
Mr. Didar Singh, Advocate, for the petitioner.

Mr. Nirmaljit Singh Diwan, Sr. DAG, Punjab

HARSH BUNGER J. (ORAL)

Prayer in the instant writ petition filed under Article 226 of the Constitution of India is for issuance of a writ in the nature of Certiorari for setting aside the order dated 17.07.2025 (Annexure P-3) passed by the learned Director, Department of Rural Development and Panchayats, SAS Nagar, Mohali, whereby the petitioner was suspended from the post of Sarpanch of village Mandauli, District Patiala.

1.1. A further prayer has been made for setting aside the order dated 06.11.2025 (Annexure P-7) passed by the learned Administrative Secretary, Government of Punjab, Department of Rural Development and Panchayats, whereby an appeal filed by the petitioner against his suspension order dated 17.07.2025 (Annexure P-3), has been dismissed.

2. Learned Senior counsel appearing for the petitioner while referring to the order dated 06.11.2025 (Annexure P-7) submits that the



CWP-35338-2025 (O&M) -2-

same is totally a non-speaking order as the learned Administrative Secretary has failed to take into consideration the order dated 22.07.2025 (Annexure P-5) passed by the learned Additional Sessions Judge, Patiala, whereby during the pendency of the appeal against conviction, filed by the petitioner, his conviction has been ordered to be suspended.

3. On the other hand, learned State counsel very fairly submits that while passing the order dated 06.11.2025 (Annexure P-7), the effect and implications of the order dated 22.07.2025 (Annexure P-5), whereby the conviction of the petitioner has been suspended in appeal, were neither noticed nor considered.

4. Keeping in view the aforesaid submissions raised on behalf of learned counsel for respective parties, I am of the considered view that since the learned Administrative Secretary while passing order dated 06.11.2025 (Annexure P-7), has failed to take into consideration the effect and implication of the order dated 22.07.2025 (Annexure P-5) passed by the learned Additional Sessions Judge, Patiala, which may have a material bearing on the decision of appeal filed by the petitioner against his suspension order dated 17.07.2025 (Annexure P-3); consequently, the matter requires to be re-looked at the hands of the learned Administrative Secretary, Government of Punjab, Department of Rural Development and Panchayats.

5. Accordingly, the present writ petition is partly allowed, the order dated 06.11.2025 (Annexure P-7) is set aside and the matter is remitted to the learned Administrative Secretary, Government of Punjab, Department of Rural Development and Panchayats, to consider the effect of order dated 22.07.2025 (Annexure P-5) and then pass a fresh order in the appeal preferred by the petitioner against his suspension order dated 17.07.2025



CWP-35338-2025 (O&M) -3-

(Annexure P-3). The aforesaid exercise be carried out within a period of three weeks from today.

- 6. The present petition is disposed of in the aforesaid terms.
- 7. All pending application(s), if any, shall also stand closed.

07.05.2026
dinesh

(HARSH BUNGER)
JUDGE

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