
(2020) 02 P&H CK 0103
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 3707 Of 2020

Om Parkash

APPELLANT

Vs

State Of Haryana And Others

RESPONDENT

Date of Decision : 11-02-2020

Acts Referred:

Citation : (2020) 02 P&H CK 0103

Hon'ble Judges : Sanjay Kumar, J

Bench : Single Bench

Advocate : Vikram Singh, Rajesh Gaur

Final Decision : Disposed Of

Judgement

Sanjay Kumar, J

1. The grievance of the petitioner is that though he filed an appeal, along with a stay application, in relation to his suspension from the post of Sarpanch

of Village Kirmach, Tehsil Thanesar, District Kurukshetra, the Appellate Authority, viz., the Financial Commissioner-cum-Principal Secretary to the

Government of Haryana, Chandigarh, is not taking up the matter in right earnest.

2. Reliance is placed upon case law in support of the contention that an appellate authority is required to promptly consider the issues raised before it

by way of a statutory appeal. Reference in this regard is made to the decision of a Division Bench of this Court in CWP-15000-1996, titled Kashmir

Kaur v. Secretary to Government of Haryana, Development and Panchayat Department-cum-Financial Commissioner, (1997 (1) PLR 242);

the decision of a learned Judge of this Court in CWP-27000-2019, titled Saroj Bala v. State of Haryana, and the decision of another learned Judge

of this Court in CWP-34025-2019, titled Sheetal Devi v. State of Haryana.

3. For reasons alike as were recorded in the aforestated orders and in terms thereof, the writ petition is disposed of directing the first respondent to consider and dispose of the appeal filed by the petitioner on the next date of hearing. In the event the appellate authority is unable to do so, it shall at least consider the stay application filed by the petitioner in the said appeal on merits. Pending such decision, be it in the appeal or in the stay application, as the case may be, the order under appeal dated 31.01.2020 (Annexure P-2) shall remain in abeyance.

4. No order as to costs.