

Smt. Radha Devi vs Deputy Commissioner & others

CWP No. 14824 of 2025

12.09.2025 Present: Mr. Anuj Gupta, Advocate for the petitioner.

Mr. Pushpender Jaswal, Additional Advocate General for respondents-State.

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Notice. Mr. Pushpender Jaswal, learned Additional Advocate General, accepts notice on behalf of the respondents. Reply, as prayed for, within four weeks.

CMP No. 22532 of 2025

Notice and reply in above terms. Learned Counsel for the petitioner submitted that the order of suspension passed by the Authority is *per se* bad in the eyes of law as the same has been passed by violating the provisions of Section 145 (2-A) of the Hiamchal Pradesh Panchayati Raj Act, 1968. He submitted that no opportunity was given to the petitioner of being heard before the impugned order was passed. He accordingly submitted that as there was flagrant violation of the principles of natural justice and not only the principles of natural justice, but also of sub Section 2-A of Section 145 of the Act *ibid*, the impugned order is bad.

Having heard learned Counsel for the petitioner, this Court is of the considered view that the petitioner indeed has made out a case for the grant of stay because her primary contention is that she was not heard as per provisions of Section 145(2-A) of the Act before the impugned order was passed. Therefore, in the

interregnum, operation of order dated 08.09.2025 (Annexure P-13)
is hereby stayed.

(Ajay Mohan Goel)
Judge

September 12, 2025
(*narender*)