

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

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**CR-6162-2015
Date of decision-05.10.2015.**

KARISHMA BANSAL

.....Petitioner

VS

CIVIL JUDGE SENIOR DIVISION BHIWANI

..Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Mr. Jagjeet Beniwal, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

On 18.09.2015, this Court asked the District and Sessions Judge, Bhiwani to evolve his supervisory mechanism in the context of deposit of Court fee in wrong head of Civil Court relating to the office of 0326-Civil Judge (Senior Division), Bhiwani in State Bank of India, Branch Mini Secretariat, Bhiwani. In compliance to the said order, a detailed report has been received in this Court, wherein, learned District Judge has commented on all the probable aspects of the case. The learned District Judge enquired from the Treasury Officer whether the amount in question can be withdrawn without concurrence of account holder/head bearer and also with regard to the proper procedure for withdrawal of the amount. Treasury Officer vide memo dated 29.09.2015 has reported that the amount cannot be withdrawn without the concurrence of Civil Judge (Senior Division), Bhiwani as the petitioner had deposited the amount in DDO code 0326 which relates to Civil Judge (Senior Division), Bhiwani. Clarification was also sought from Director General, Treasuries and Accounts Department, Chandigarh and it

was reported therein that the amount can be refunded by those DDO in which amount has been deposited. The procedure for withdrawal of the amount has also been reported that the depositor should move an application for refund of the money along with original challan to the concerned DDO in whose DDO code the amount had been deposited and if, the DDO is satisfied that the said amount does not relate to him, he may issue a refund voucher in the name of the depositer.

The District Judge has also contended that in view of the report submitted by the Treasury Officer as well as the clarification made by the Director General, Treasuries and Accounts Department, Chandigarh vide memo dated 30.09.2015, directions have been issued to the Civil Judge (Senior Division), Bhiwani to refund the amount to Anil Kumar S/o Kundan Lal R/o Vikas Nagar, Bhiwani on his producing the original treasury challan and on furnishing an idemnity bond on requisite stamp paper to the effect that no other benefit has been claimed or presented by him against the concerned challan. He has to give an undertaking that if later on, it is found that the applicant has claimed any other benefit against the original treasury challan, he will re-deposit the amount with the Court, as and when required by the Court to do so.

In view of the directions already issued by the District and Sessions Judge, Bhiwani, no further orders are required to be passed in this revision petition. Hence this revision petition is disposed of in view of the aforesaid compliance to be done by the petitioner.

October 05, 2015

**(RAJ MOHAN SINGH)
JUDGE**