
IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.12002 of 2015
Date of decision: 29.05.2015

Raj Singh

....Petitioner

Vs.

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR.JUSTICE S.J.VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR.JUSTICE GURMEET SINGH SANDHAWALIA**

Present: Mr. Jitender Nara, Advocate for the petitioner

G.S.SANDHAWALIA, J.

The present Civil Writ Petition has been filed for quashing notice dated 8.1.2015 (Annexure P/1) issued by the Deputy Excise and Taxation Commissioner, Jhajjar intimating the petitioner as to why action should not be taken against him for submitting forged sureties on account of being licensee of L-14A Group No.20 of liquor vends. Challenge has also been raised to Munadi done in pursuance of the order of the Collector dated 9.2.2015 regarding 93 kanals 16 marlas of land belonging to the petitioner in lieu of arrears of ₹ 2,52,32,365/-. Further prayer has been made that the matter be investigated by some independent officer or independent investigating agency.

Counsel for the petitioner has submitted that the petitioner is an illiterate person and is an agriculturist and respondent no.5 was his close friend and a Government servant, who had desired to run liquor vend and the petitioner's signatures had been taken on account of said respondent not being able to run the liquor vend due to being Government servant. It is further submitted that the vend was taken in the petitioner's

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name and he has not played any role in running of the said liquor vend. Accordingly, the liability on account of arrears and responsibility of respondents no.6 and 7 who ran the vends along with respondent no.5 has been alleged. Reference has been made to the complaint of cheating and that the petitioner has been wrongly penalized for the errors of said respondents.

The above summarization of facts would go on to show that seriously disputed question of facts arise as to who applied for the vend and to whom it was allotted; who were the persons running the said vend and whether the petitioner was a beneficiary or not of such arrangement which he has allegedly entered with respondent no.5 though according to him without any financial involvement. It is settled principle that such issues cannot be gone into under Article 226 of the Constitution of India.

Accordingly, we propose not to go further into the issue and leave the petitioner to pursue his remedy in accordance with law both pertaining to civil as well as the criminal.

Accordingly, the present writ petition is dismissed.

(S.J.VAZIFDAR)
ACTING CHIEF JUSTICE

(G.S.SANDHAWALIA)
JUDGE

29.05.2015
Pka