

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.2636 of 2015

Date of Decision: October 15, 2015

Lakhpat Rai Aggarwal

....Petitioner

versus

The State of Haryana and others

....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Satyapal Khatri, Advocate, for the petitioner.
Mr.Anil Mehta, Deputy Advocate General, Haryana.
Mr.Aakash Singla, Advocate, for respondent No.3.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

As per Mr.Anil Mehta, learned Deputy Advocate General, Haryana, on instructions from the Deputy Commissioner, Sonapat that the payment could not be released to the petitioner as the Gram Panchayat has not handed-over its records to the Municipal Corporation.

We are not impressed by the explanation for the simple reason that the Deputy Commissioner is enjoyed upon ample powers under the Haryana Panchayati Raj Act to take action against the erring Sarpanch and the Panchayat Secretary who is stated to be the custodian of records. However, in the light of the alternative submission made on behalf of the Deputy Commissioner, Sonapat, namely, as soon as the petitioner would put-forth his claim, the amount shall be

released by the Municipal Corporation, we leave it to the petitioner to raise such claim within two weeks and on doing so, the amount of Rs.1,50,000/- shall be released to him alongwith interest @ 7% per annum, subject to adjustment of his claim and/or set-off against the Gram Panchayat.

In view of the above direction, the other relief sought by the petitioner, namely, for execution of sale deed, cannot be entertained. The writ petition is allowed in part in above terms.

Dasti.

[SURYA KANT]
JUDGE

October 15, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE