

CRM-M-13468-2015(O&M)
Date of decision:03.08.2017**Jagdish Chander and others****...Petitioners.****Versus****State of Haryana and others****...Respondents.****CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN**Present: Mr. Ajay Jain, Advocate
for the petitioners.

Mr. Naveen Sheoran, DAG, Haryana

Mr. R.K.Gupta, Advocate
for respondent Nos.2 to 4.Mr. R.K.Saini, Advocate
for respondent No.5.

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ARVIND SINGH SANGWAN, J. (ORAL)

At the very outset, it is submitted by learned counsel for the parties that the proceedings under Section 145 Cr.P.C. finally stood decided by Sub-Divisional Magistrate, Hisar and revision filed against this order has also been dismissed by the Additional Sessions Judge, Hisar. Thereafter, the possession of the property has been handed over by the Receiver to Dhoop Dass, Respondent No.3. Accordingly, learned counsel for the parties are *ad idem* that this petition has become infructuous.

During the course of arguments, learned counsel for the petitioner has pointed out that in the affidavit dated 07.12.2015, filed by the Receiver, it is stated that he has taken the possession on 25.03.2009 in place of Naib Tehsildar, Hisar and therefore, there is no details of the accounts relating to the period from 2007- 2009 are given.

However, counsel for the respondent No.3 submits that since, the possession was taken by him, he stands satisfied with the reply filed by the Naib Tehsildar, Hisar and do not want to take any action.

Accordingly, this petition has become infructuous.

However, it will be open for the respondent No.3 to withdraw the amount which stands deposited in the bank on account of lease or collection made in the intervening period and if an application is filed by respondent No.3, Sub-Divisional Magistrate, Hisar will release the amount in his favour.

Disposed of as infructuous.

(ARVIND SINGH SANGWAN)
JUDGE

03.8.2017
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Whether speaking/reasoned *Yes / No*

Whether reportable *Yes / No*