

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

CWP No.16024 of 2013
Date of decision : 03.03.2017

Daljit Rai and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

Present: Mr. R.K. Dadwal, Advocate for the petitioners.

Mr. Amit Singh Sethi, Addl. A.G. Punjab.

Mr. Sunil Agnihotri, Advocate for respondent No.6.

AMIT RAWAL, J. (Oral)

The complainant Mr. Kewal Krishan Bhatia son of Charan Dass, resident of Village Sahora Kandi, P.O. Siprian, Tehsil Mukerian, District Hoshiarpur being identified by Mr. Sunil Agnihotri, Advocate is present in Court today.

Grievance of the petitioner in the present writ petition is to the issuance of notice (Annexure P-5) by the Chief Vigilance Bureau, Mohali with regard to the alleged complaint i.e. Complaint No.59 of 2013.

Mr. R.K. Dadwal, Advocate has already brought to the notice of this Court that on three occasions, on complaint made by the complainant, the petitioner has been exonerated. Copy of the enquiry report has been annexed and submits that even the present enquiry is related to the

same very acts particularly the alleged encroachment of khasra Nos.299, 282, 298 and 528 which has already been question of ponderance and debate in the previous enquiry reports.

At this stage, Mr. Sunil Agnihotri, Advocate on instruction from his client submits that he is willing to tender unconditional apology for filing the complaint against the petitioner and also withdraws the same.

Mr. Dadwal, learned counsel for the petitioner submits that owing to the statement being recorded, he would be satisfied if he tenders unconditional apology.

Affidavit on behalf of Mr. Kewal Krishan Bhatia son of Charan Dass, resident of Village Sahora Kandi, P.O. Siprian, Tehsil Mukerian, District Hoshiarpur has been filed, taken on record. He has undertaken that he will not file any complaint against the petitioners regarding misappropriation of funds of any matter relating to their tenure as Sarpanch of the village and also in future.

In view of the aforementioned fact, notice (Annexure P-5) issued in pursuance to the complaint, which has also been withdrawn, is hereby quashed.

With the aforementioned observations, present writ petition stands disposed of.

Registry is directed to tag the affidavit at the end of paper book.

03.03.2017

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**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No