

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

CWP No.24268 of 2015  
Date of decision : 21.03.2017

Madan Lal

...Petitioner

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.**

Present: Mr. Krishan Singh, Advocate for the petitioner.

Mr. Rajbir Singh, AAG, Haryana.

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**AMIT RAWAL, J. (Oral)**

The petitioner has approached this Court with following relief:-

*“Civil Writ Petition under Article 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of certiorari quashing the action of the respondents whereby they have not taken any action against the respondent No.5 despite the fact that it has been proved that the respondent No.5 has misappropriated the old age pension amount of dead persons of the village and with further a writ in the nature of mandamus may kindly be issued directing the official respondents to take action against the respondent No.5 in view the enquiry report dated 27.05.2011 submitted by the enquiry officer against respondent No.5 holding that the respondent No.5 has misappropriated the old age pension amount of the dead persons of village.”*

As per the stand taken in written statement and in view of enquiry report Annexure P-6, the private respondent namely Krishna Devi has deposited the amount regarding the alleged violation of Rules of distribution of the pension but however counsel for the petitioner submits that departmental action should be taken but the fact remains that term of the petitioner is over being elected candidate, therefore, no cause of action survives.

Writ petition is rendered dismissed as infructuous.

**21.03.2017**

*pawan*

**(AMIT RAWAL)  
JUDGE**

**Whether speaking/reasoned:-**

**Yes/No**

**Whether reportable:-**

**Yes/No**