

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

LPA No. 956 of 2018

Date of decision: 13.8.2018

Ashok Kumar

... Appellant

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: Mr. Kabul Singh, Advocate, and
Mr. Ramesh Kumar, Advocate
for the appellant.

Mr. Lokesh Sinhal, Additional A.G. Haryana.

KRISHNA MURARI, CHIEF JUSTICE (Oral)

Learned Additional Advocate General, appearing for the State of Haryana, has produced before us an order dated 25.7.2018, whereby the pending inquiry against the appellant has been concluded and he has been reinstated on the post of Sarpanch, Gram Panchayat Naharpur. A further direction has been issued to BDPO, Jagadhri, to handover the complete charge of Gram Panchayat Naharpur to the appellant.

In view of the aforesaid facts, no cause of action survives to the appellant.

At this stage, learned counsel for the appellant pointed out that during the pendency of the inquiry proceedings, the appellant was compelled to deposit a sum of ₹3,36,400/-. The amount was deposited on 11.4.2017 under protest. Learned Additional A.G., Haryana, on the basis of instructions from Brijesh Sharma, Secretary, office of BDPO, Jagadhari,

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states that since the inquiry proceedings have come to an end, and the appellant has been reinstated, the amount is liable to be refunded to him.

In the circumstances, we direct that the amount of Rs.3,36,400/- shall be refunded to the appellant within a period of 10 days from today, along with interest calculated @ 9% per annum from the date of deposit of the said amount till the date of actual payment.

With the aforesaid directions, the appeal stands disposed of.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

August 13, 2018
AK Sharma

Whether speaking / reasoned:	YES
Whether Reportable:	NO