

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(110)

CWP No. 10010 of 2020
Date of Decision : 17.07.2020

Anup

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sushil Sheoran, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

The petition has been taken for hearing through video conference due to Covid-19 pandemic.

In the present writ petition, the grievance of the petitioner is that he has been issued recovery notices dated 13.10.2016 (Annexure P-3), dated 06.12.2018 (Annexure P-5), dated 06.03.2020 (Annexure P-7) and dated 29.06.2020 (Annexure P-9) by the Block Development and Panchayat Office, Charkhi Dadri for depositing half of the total amount of Rs. 1,59,600/-, which according to the respondents, is the loss caused by him to the Gram Panchayat.

Learned counsel for the petitioner submits that the said notices have wrongly been issued to the petitioner and no wrong has been done by the petitioner while discharging the duties and petitioner has already given his explanation to the Deputy Commissioner, Charkhi Dadri vide representation dated 06.08.2019 (Annexure P-6) that no loss, as being sought to be recovered from him, has been caused but no order has been

passed by the Deputy Commissioner, Charkhi Dadri on the said representation so far. Learned counsel for the petitioner further submits that petitioner has also served a detailed legal notice to the Deputy Commissioner, Charkhi Dadri on 29.05.2020 (Annexure P-8). Learned counsel for the petitioner states that on one hand Deputy Commissioner is neither deciding the representation dated 06.08.2019 (Annexure P-6) nor replying to the legal notice dated 29.05.2020 (Annexure P-8) and on the other hand, petitioner is being asked to deposit the amount as being sought from him in the recovery notices.

Notice of motion.

Mr. Hitesh Pandit, learned Additional Advocate General, Haryana, who has also joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of respondent-State. Learned State counsel states that Deputy Commissioner, Charkhi Dadri will decide the representation dated 06.08.2019 (Annexure P-6) filed by the petitioner by passing a speaking order within a period of four weeks from the receipt of copy of this order.

Learned counsel for the petitioner submits that in view of the statement of learned State counsel, he does not wish to press this writ petition any further as no grievance of the petitioner in the present writ petition subsists. Learned counsel further submits that in case, petitioner will be aggrieved against the order passed by the Deputy Commissioner, Charkhi Dadri, he will avail the appropriate remedy available to him before appropriate forum.

This petition is dismissed having been not pressed with liberty,

as prayed for.

It is made clear that respondents will be bound by the statement recorded above.

July 17, 2020
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No