

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

CWP No.13047 of 2020 (O&M)

Date of decision: 22.09.2020

Pradeep Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Neeraj Gaur, Advocate for the petitioner.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

Petitioner Pradeep Kumar had served Haryana Lotteries, Faridabad as Sales Officer. It was observed that during the course of his service, he had committed certain financial irregularities. His explanation in that regard was called, which he furnished. However, his explanation was not found to be satisfactory. As such, the amount has been ordered to be recovered as arrears of land revenue, leaving the petitioner aggrieved and he has knocked at the door of this Court, by way of filing the instant civil writ petition.

The grouse of the petitioner is that the amount is sought to be recovered after a lapse of more than 22 years without giving an opportunity to the petitioner to present his version. The plea is without any merit. The petitioner himself has placed on record various memos issued by the Director of Lotteries, Haryana, one dated 11.10.2006 (Annexure P3), 03.11.2006 (Annexure P4) and response given by him,

copies Annexure P6 collectively. Thus, it is not open to him to come up with a plea that he has been condemned unheard, since as it comes out, the petitioner had not accounted for a substantial amount and when the bungling/lapse was detected, the proceedings against him were initiated. The petitioner cannot take advantage of the fact that the lapse was detected after a sufficient time, as such, no recovery can be effected from him. If such plea is accepted that would amount to allowing a wrong doer to succeed in his such designs. It cannot be said that the petitioner has been condemned unheard. Sufficient opportunity is shown to have given to him to represent his version and thereafter, the recovery is being made as arrears of land revenue. No violation of any right much less fundamental right of the petitioner comes out to be there which might have called for interference by this Court while exercising writ jurisdiction. Finding no merit in the instant writ petition, the same stands dismissed.

22.09.2020

sumit.k

(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No