

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

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CWP-2556-2021 (O&M)

Date of decision : 17.03.2021

Sukhbir

.....Petitioner

Vs.

State of Haryana and Another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

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

Mr. Rajesh Gaur, Additional A.G., Haryana.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

Learned counsel appearing on behalf of the petitioner, at the outset, states that the present petition has been rendered infructuous inasmuch as the term of office of the Sarpanch has since expired. He further contends that question of recovery, if any, to be made from the petitioner be left open so that as and when the said action is initiated the petitioner is in a position to avail his appropriate remedy at that stage.

Learned counsel for the State is not in a position to deny the fact that the order Annexure P-1 has been issued only under Section 51(3)(c) of the Haryana Panchayati Raj Act, 1994 for removal of the Sarpanch and no proceedings have yet been initiated under Section 53 of the said Act.

In view of the above and in view of the fact that tenure of the Sarpanch has since expired, the present writ petition is disposed off as having been rendered infructuous. Further the question whether any

recovery is to be made from the petitioner is kept open and in case any proceedings are initiated against the petitioner for recovery, he would always be at liberty to avail appropriate remedy for redressal of the said grievance by taking all necessary objections.

Disposed off.

March 17, 2021

**(ALKA SARIN)
JUDGE**

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NOTE:

Whether speaking/non-speaking: Speaking

Whether reportable: Yes/No