

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

CWP-6163-2020 (O&M)

Date of decision: 10.11.2021

Gurcharan Kaur

....Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sourabh Singla, Advocate for the petitioner

Ms.Harsimrat Rai, DAG, Punjab

ANIL KSHETARPAL, J (Oral)

Through this writ petition, the petitioner prays for issuance of a writ in the nature of Certiorari to quash the recovery notice dated 07.03.2019. The petitioner alleges that recovery certificate has been issued by the office of District Development and Panchayat Officer, Patiala, without following the procedure under Section 216 of the Punjab Panchayati Raj Act, 1994.

Short reply by way of affidavit of Manpreet Singh, IAS, Director, Rural Development and Panchayat, Punjab, has been filed in the Court today and the same is taken on record. A copy thereof has been supplied to the learned counsel for the petitioner. It has been stated in the aforesaid affidavit that recovery notice has already been withdrawn. Para 5 of the affidavit reads as under:-

“5. That while taking cognizance of the entire issue the deponent has directed the District Development and Panchayat Officer, Patiala, and Block Development and Panchayat Officer, Patiala, to withdraw the said notice as it is against the law. Further, the deponent has recommended the

disciplinary action under Rule 8 of the Punjab Civil Services (Punishment and Appeal) Rule 1970. A copy of the order issued by the deponent is annexed as Annexure R-1.”

Keeping in view the aforesaid facts, the writ petition is rendered infructuous and the same is disposed of as such.

All the pending miscellaneous applications, if any, are also disposed of.

10.11.2021

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE