

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

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**CWP-6450-2020(O&M)
Date of decision:23.09.2021**

KULWINDER SINGH

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. S.S.Panag, Advocate,
for the petitioner.**

Ms. Kanica Sachdeva, AAG, Punjab.

ANIL KSHETARPAL, J (Oral)

It is strange that the Block Development and Panchayat Officer without following the procedure prescribed under the Punjab Panchayati Raj Act, 1994, has issued a notice for the recovery of the alleged misappropriated amount.

Ms. Kanica Sachdeva, the learned Assistant Advocate General, Punjab, admits that the inquiry is still pending.

It is shocking that without completing the inquiry, the officials insist on depositing the amount. The quantum of amount is yet to be determined. There is a procedure prescribed for determining such amount under Section 216 of the Punjab Panchayati Raj Act, 1994.

Ms. Kanica Sachdeva, the learned Assistant Advocate General, Punjab, on instructions from Mr. Sunil Khosla, Law Officer, has stated that the necessary inquiry after following the procedure shall be completed within a period of two months.

In view thereof, the writ petition is disposed of while directing the officials not to recover the amount until the assessment is made as per the provisions of the Punjab Panchayati Raj Act, 1994.

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

September 23, 2021
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No