

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

CWP-14270-2020 (O&M)
Date of decision : 15.01.2021

Ali Sher

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

Ms. Kirti Singh, DAG, Haryana.

ANIL KSHETARPAL, J. (ORAL)

The petitioner has filed this writ petition under Article 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus directing respondent Nos.1 to 4, to take remedial action on the complaint dated 30.07.2020. In short, the petitioner alleges the embezzlement of public funds by respondent No.7, in connivance with the officials.

On notice of motion, the reply has been filed. Para 2 of the reply reads as under:-

“2. That para no.2 of the petition is totally wrong hence denied. It is totally wrong that the answering respondents have caused any type of loss to the public exchequer on the development works conducted by the Zila Parishad, Nuh and through its agencies. It is pertinent to mention here that

the complaints sent by the petitioner have not been received in the office of answering respondent. It is submitted when the copy of civil writ petition was received in the office of answering respondent, the answering respondent requested the Deputy Commissioner, Nuh respondent No.3 to appoint an inquiry office in this regard vide letter dated 24.09.2020. Copy of said letter is annexed as Annexure R-5/3.”

It has been pleaded that the amount has been spent on the development work and the Utilization Certificates have been obtained.

Keeping in view the aforesaid facts, it is considered appropriate to request the Deputy Commissioner, Nuh, to himself verify the development works, if any, carried out and thereafter take the decision on the complaint within a period of two months.

With these observations, the writ petition is disposed of.

All the pending miscellaneous applications, if any, are disposed of in view of the above-stated order.

15.01.2021

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No