

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

120

CWP No.23245 of 2021.
Date of Decision: 24.11.2021.

Vidya Devi and others

...petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. V.P. Sangwan, Advocate
for the petitioners.

Mr. Samarth Sagar, Additional Advocate General, Haryana

ANIL KSHETARPAL J. (ORAL)

Through this writ petition, the petitioners pray for issuance of a writ in the nature of *certiorari* to quash the recovery notice dated 06.08.2018.

The petitioners were elected as the Sarpanch and Panches, respectively, of the Gram Panchayat, Dandma, Tehsil Charkhi Dadari, District Bhiwani and remained in the office from the year 2005 to 2010. The petitioners assail the correctness of a show cause notice issued for recovery on account of loss caused to the Gram Panchayat. The petitioners claim that the recovery of the amount has become barred by time.

On 17.11.2021, Mr. Samarth Sagar, Additional Advocate General, Haryana, was requested to get the complete instructions.

Sh. Sagar, on instructions from Sh. Roshan Lal, Block Development and Panchayat Officer, Badhra, has stated that the State of Haryana discerns that the recovery has become time barred and therefore, he has instructions to make a statement that no recovery of the amount pursuant

to recovery notice dated 06.08.2018, shall be initiated. However, he submits that the FIR registered against the petitioners, for causing loss to the Panchayat, shall be proceeded with.

The learned counsel representing the petitioners submits that the writ petition be dismissed as infructuous in view of the statement made by the learned counsel representing the State of Haryana and the petitioners shall contest the criminal prosecution, if any, in accordance with law.

Keeping in view the aforesaid facts, the present writ petition is dismissed as infructuous.

November 24, 2021
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(ANIL KSHETARPAL)
JUDGE

whether speaking/reasoned
whether reportable

Yes/No
Yes/No