

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-2462-2020

Date of decision : 18.04.2023

Sunil Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Munish Kumar Garg, Advocate and
Mr.Tanuj, Advocate
for the petitioner.

Mr.Rajneesh Chadwal, AAG, Haryana
for respondents no.1 to 5.

Mr.Sant Lal Barwala, Advocate
for respondent no.6.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Articles 226/227 of the Constitution of India for issuance of a writ, order or direction in the nature of mandamus directing respondents no.3 to 5 to take appropriate legal action in accordance with Sections 51, 52 or 53 of the Haryana Panchayati Raj Act, 1994 against respondent no.6.

2. Learned State counsel has pointed out that in the present case a regular enquiry against respondent no.6 Ex-Sarpanch was conducted by the Sub Divisional Officer (Civil), Narnaund and in the regular enquiry report dated 31.01.2020 (Annexure R-1) respondent no.6 has been found not guilty for causing loss to the Gram Panchayat fund and by considering the above stated regular enquiry report of Sub Divisional Officer (Civil), Narnaund,

the complaint against respondent no.6 had been filed vide order dated 16.10.2020 (Annexure R-2) passed by the Deputy Commissioner, Hisar and has submitted that thus, the present petition has been rendered infructuous. It is stated that no further action is required in the present writ petition as the prayer for conducting enquiry has already been done.

3. Learned counsel for the petitioner has submitted that the petitioner be permitted to withdraw the present petition with liberty to seek alternative remedy, in accordance with law.

4. In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.

(VIKAS BAHL)
JUDGE

April 18, 2023
Davinder Kumar

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