

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

CWP-3024-1998 (O&M)

Date of decision: 24.02.2023

Harjit Singh

....Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Vishal Satija, Advocate for the petitioner
Mr. Navdeep Chhabra, Sr. DAG, Punjab

ANIL KSHETARPAL, J (Oral)

1. Though as per the office report, the service of notice on respondent no.3 has not been completed for the last 24 years, however, this Court has heard the learned counsel representing the parties on merits of the case.

2. At the relevant time, the petitioner was deputed to drive an official vehicle of a Member of the Legislative Assembly, being a Government servant. The aforesaid vehicle met with an accident resulting in an award passed by the Motor Accidents Claims Tribunal. Vide notice dated 31.12.1997, the petitioner was informed that he is liable to the extent of Rs.1,11,540/- alongwith 12% interest calculated w.e.f. 10.05.1994. The aforesaid communication has been challenged by the petitioner by filing this writ petition.

3. On 19.07.2017 an affidavit of the Assistant Inspector General of Police (Security), Punjab, has been filed, wherein in paragraphs 4 and 5, it has been stated as under:-

“4. That it is humbly submitted that this employee (petitioner) Const. Driver Harjit Singh

No.391/Int, has remained posted in various offices of the Punjab Government, i.e the office of the Addl. Director General of Police, Security Punjab, Chandigarh, Commissioner, State Transport, Punjab, Chandigarh and the 7th Bn. And the 13th Bn., of Punjab Armed Police, Jalandhar Cantt. And Chandigarh, respectively. That the required information has been obtained/gathered from the above said offices (Annexure R 1, R-2T and R-3T, respectively) as well as from the office of the deponent.

5. That as per the information regarding recoveries effected from the petitioner Const. Driver Harjit Singh No.391/Int, it has been revealed that no recovery has been made from the petitioner with regard to the MACT by any office and that as per the information provided by the office of Commandant 7th BN PAP, Jalandhar Cantt. The petitioner had taken Voluntary Retirement from service on 28.02.2013."

4. The learned State counsel admits that the petitioner took voluntary retirement on 28.02.2013 and till date, no process for recovery of the afore-stated amount has been initiated against the petitioner.

5. In view of the aforesaid, no further order is required to be passed.

6. Disposed of.

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

24.02.2023

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE