

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

(238)

**LPA-354-2021 (O&M)
Decided on : 07.02.2023**

Manpreet Kaur & others

.....Appellant(s)

Versus

State of Haryana & others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MRS.JUSTICE RITU TAGORE**

Present: Mr.Hardeep Singh Dhillon, Advocate for the appellant (s).

Mr.Ankur Mittal, Addl.A.G., Haryana
and Mr.Saurabh Mago, AAG, Haryana.

G.S. Sandhawalia, J. (Oral)

The present appeal is directed against the interim order dated 04.03.2021 passed in CWP-5192-2021 whereby the learned Single Judge had dismissed the writ petition as withdrawn at the initial stage itself. Further challenge has been made to the order dated 15.03.2021 wherein recalling application was also dismissed.

The claim of the appellants in the main writ petition is on account of the compensation which is sought due to the death of Kamaljeet Singh on 12.09.2020 which is alleged to be on account of being hit by a stray bull while he was riding his motorcycle. The legal notice dated 23.12.2020 (Annexure P-5) is stated to have been filed wherein the claim was raised alleging the violations of the Haryana Panchayati Raj Act, 1994.

We are of the considered opinion that writ petitioners have alternate remedy available to them to seek the compensation as it is a factual matter as to the earning capacity of the deceased and as to whether there was negligence on the part of the Gram Panchayat which dispute cannot be adjudicated by the Writ Court. In such circumstances, the writ petition was dismissed. However, apparently liberty was not granted to avail the alternate remedy, in accordance with law, which would stand in the way of the appellants.

Accordingly, the present appeal is disposed of by granting the aforesaid liberty.

(G.S. SANDHAWALIA)
JUDGE

07.02.2023
SAILESH

(RITU TAGORE)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No