

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

201

CWP-12013-2016 (O&M)
Date of Decision: 16.10.2023

RAMESH KUMAR

... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. S.N. Sharma, Advocate for the petitioner.
Mr. Pankaj Mulwani, DAG, Haryana.
Mr. Divyam Singh, Advocate for respondent No.4.

VINOD S. BHARDWAJ, J. (ORAL)

The prayer in the present petition is for issuance of directions to respondent No.2 to take action against respondent No.5 for indulging in corrupt practices and for causing harassment and also for not releasing the payment of bill No.463 dated 20.12.2014.

Written statement on behalf of respondents No.2 and 3 has been filed, wherein it has been specifically averred that the Gram Panchayat never gave any order to the petitioner to supply the material and also the same was never supplied to the Gram Panchayat. Hence, the liability was grossly disputed.

Similar reply was also filed by the Gram Panchayat disputing the issuance of any order and/or supply of material to it.

Counsel for the respondents also refer to the order dated 17.10.2019 passed by this Court, which reads thus:

“Ostensible carbon copy of the original bill dated 20.12.2014 has been produced in Court today, which is taken on record as disputed document mark “X”. Annxure P-1 at pg.31 of

the paper-book is supposed to be photocopy of the bill. Comparison of two documents is enough to show that the carbon copy now produced is a forged and manufactured document and therefore, Annexure P-1 is a false document produced in Court to justify prayer in the petition for a mandamus to the respondent-Gram Panchayat, Village Sandhir, for releasing payment of Bill No.463 dated 20.12.2014.

Issue notice of contempt to the petitioner to appear in Court on 05.11.2019 to explain his position and to show cause as to why contempt proceedings be not initiated against him for perjury.

Also issue notice for the date fixed to Mr. Chirag Wadhwa, Advocate, as to the circumstances in which he has attested Annexure P-1 as true copy under his signatures.”

It is thus contended that the present petition is based upon the invoice Annexure P-1, whereas a finding has been specifically recorded by this Court in its interim order dated 17.10.2019 that the photocopy of the abovesaid invoice, attached with the present petition for laying foundation of the present writ petition, is a forged document.

Learned counsel for the petitioner thus seeks withdrawal of the present writ petition.

Learned counsel for the respondents have no objection to the same.

Disposed of as withdrawn.

Any other misc. application(s) also stand(s) disposed of accordingly.

OCTOBER 16, 2023
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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No