

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

CWP-6407-2018

Date of decision : 07.08.2023

Subhash Chand and others

.....Petitioners

versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. S.S. Sahu, Advocate
for the petitioners.

Mr. Rajneesh Chadwal, AAG, Haryana.

Mr. Raman Kaswan, Advocate
for respondent No.6.

RAJESH BHARDWAJ, J. (Oral)

Petitioners have approached this Court praying for taking a decision on the show cause notice dated 27.03.2015 which was issued by the Deputy Commissioner to respondent No.6 for selling Panchayat land by misusing his official position as respondent No.6 with *malafide* intention withdrew the SLP pending before the Hon'ble Supreme Court vide order dated 30.11.2010 without taking the Gram Panchayat into confidence and passing a resolution authorizing him to withdraw the said SLP No.31954 of 2009 titled as *Gram Panchayat and others Vs. State of Haryana and others* when the parties were directed to maintain status quo.

Notice was issued by this Court on 15.03.2018.

Learned State counsel, on instructions from Mr. Jagbir Mor,

ADA office of DDPO, Fatehabad, Haryana, has submitted before this

Court that after issuance of show cause notice, the Deputy Commissioner has already decided the same vide his order dated 03.03.2016 wherein it has been observed that respondent No.6 who was the Sarpanch had already completed his tenure and thus, there was no question of removal from the post of Sarpanch as the tenure had already ended. He has also observed that if there is any recovery, to be effected from respondent No.6 then the BDPO would initiate the proceedings under Section 53 of the Haryana Panchayati Raj Act. He submits that in pursuance to the same, BDPO vide order dated 22.12.2017, ordered the recovery of Rs.1,37,079/- and the petitioner has already filed the appeal before the Deputy Commissioner which is fixed for 23.08.2023.

After hearing learned State counsel, it is apparent that the show cause notice as prayed by the petitioners have already been decided and thus, nothing more remains to be adjudicated in this petition. Hence, the petition is disposed of with liberty to the petitioners to pursue their remedies as in accordance with law.

(**RAJESH BHARDWAJ**)
JUDGE

07.08.2023
m. sharma

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