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

CWP-27313-2023

Date of Decision: December 05, 2023

Abhay Ram

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Rajesh Hooda, Advocate
for the petitioner.

.....

RAJESH BHARDWAJ, J.(ORAL)

Petitioner has approached this Court praying for issuance of directions to respondents No.1 to 3 to enquire into the fraud and bungling of amount to the tune of crores of rupees, committed in the accounts of Gram Panchayat Gauria, Tehsil Matanhail, Jhajjar, by respondents No.5 to 10 in connivance with each other. It is further prayed to direct respondents No.1 to 3 to enquire regarding non auctioning of about 30 acres of Shamlat land of the village after 2012 and to recover the amount from respondents No.5 to 10 qua this land as the same is being allowed to be cultivated by them without any auction and there is no record of receipt of the amount of this land in the records. It is also prayed to direct respondents No.1 to 3 to initiate not only the appropriate departmental enquiry to recover the amount but also lodge FIR under the provisions of Prevention of Corruption Act and various Sections of IPC for fraud and forgery of documents against respondents No.5 to 10. It is also prayed to hand over the enquiry of the entire fraud from 2010 till date to the State Vigilance Bureau in view of letter dated 12.08.2022, written by Director, Development and Panchayat, Haryana to Director General, State Vigilance Bureau.

It has been contended by learned counsel for the petitioner that earlier also the petitioner had approached this Court by way of filing CWP-25814-2021 which was disposed of by this Court vide order dated

21.12.2021, by directing the Director General, Development and Panchayat Department, Haryana, to consider the matter and pass a speaking order on the same. He further submits that thereafter the petitioner had filed the contempt petition as well in which status report was filed. He submits that the matter was referred to the Vigilance Bureau for inquiry and thereafter no substantial progress is made.

Notice of motion to official respondents only at this stage.

On asking of the Court, Ms.Upasana Dhawan, AAG, Haryana, who is present in Court, accepts notice on behalf of the respondents/State and has submitted that after conducting the inquiry, as apparent from the record, the recoveries have already been effected from the ex Sarpanch Mange Ram and another erring Gram Sachiv. It is submitted that requisite action, in accordance with law, has already been initiated and the recoveries are being effected.

After hearing learned State counsel, the present petition is disposed of with a direction to the respondents/State to conclude the recovery proceedings which are already initiated, as submitted before this Court, in accordance with law. However, petitioner would be at liberty to pursue his remedies in case any further cause of action accrues to him.

December 05, 2023

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- 1. Whether speaking/reasoned ?**
- 2. Whether reportable ?**

**(RAJESH BHARDWAJ)
JUDGE**

**Yes/No
Yes/No**