

THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.8223 of 2024
Date of Decision: 15.04.2024

Gurmeet Singh
..... Petitioner

Versus

State of Haryana and others
..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Vikram Singh, Advocate
for the petitioner.

RAJESH BHARDWAJ, J. (ORAL)

Present writ petition has been filed for setting aside the letter dated 25.10.2023 (Annexure P-3) issued by respondent No.2 being wrong, illegal and not sustainable in the eyes of law as respondent No.2 directed to get the FIR registered against the petitioner whereas the petitioner had already deposited the alleged recovery.

Learned counsel for the petitioner has submitted that the petitioner remained as Sarpanch of the village during the tenure 2016-2021. He submits that thereafter notice was issued to the petitioner for recovery of an amount of Rs.1,20,081/-. He submits that the petitioner has duly deposited the amount but despite that the learned Deputy Commissioner has directed to register an FIR against him.

Notice of motion.

On asking of the Court, Ms. Upasna Dhawan, AAG,
Haryana appears and accepts notice on behalf of the respondents-State.

She however has submitted that the petitioner has deposited the amount as per the notice issued. She submits that if the petitioner files any representation elaborating his grievance, the same would be decided after giving an opportunity of personal hearing to him.

Learned counsel for the petitioner submits that the petitioner be granted liberty to file appropriate representation before respondent No.2 i.e. the Deputy Commissioner, Panipat and he be directed to decide the same expeditiously.

After hearing both the parties and perusing the record, the present petition is disposed of with liberty to the petitioner to file his appropriate representation before respondent No.2 as prayed for within a period of 10 days from today. If any such representation is filed by the petitioner within the stipulated period, then respondent No.2 i.e. Deputy Commissioner, Panipat is directed to decide the same in accordance with law within a period of four weeks from the date of its filing.

No coercive action shall be taken against the petitioner till the decision of the representation filed by the petitioner. If no such representation is filed by the petitioner within the said period, this order would be of no avail to him.

(RAJESH BHARDWAJ)
JUDGE

15.04.2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No