

116 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-20948-2024
Date of Decision:28.08.2024

Harbans Singh and Another Petitioners
Versus
State of Punjab and others Respondents

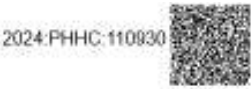
CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Vipin Mahajan, Advocate
for the petitioners.

HARSH BUNGER J. (ORAL)

1. Petitioners have filed the present petition under Articles 226/227 of the Constitution of India *inter alia* a writ in the nature of *certiorari* quashing the order dated 17.07.2024 (Annexure P-10) passed by Director Rural Development, Rural Development & Panchayat Department, Vikas Bhawan, SAS Nagar, Mohail (respondent No.2 herein), vide which the respondent Department had refused to return sum of Rs.4,13,255/-, which according to the petitioner was illegally got deposited by Block Development & Panchayat Office Shri Hargobindpur, District Gurdaspur, Punjab (respondent No.4 herein) from the petitioner.
2. The relevant extract of the order dated 17.07.2024, reads as under:

On the basis of the report submitted by the District Development and Panchayat Officer Gurdaspur and the records came on the file, I have come to the conclusion that amount of Rs.413255/- of the cash in hand found out against the Ex-Sarpanch Harbans Singh was deposited by him in the account of Gram Panchayat at his own level on 18.12.2018. Amount of Rs.409879/- deposited by Ex-Sarpanch Harbans Singh against the cash in hand according to records is not refundable. However, Block Development and Panchayat



Officer, Hargobindpur, District Gurdaspur is instructed to return the over deposited amount of Rs.3376 to the applicant.

With the aforesaid facts, in compliance with the order dated 3.10.2023 in Civil Writ Petition No: 22098 of 2023 by Hon’ble Punjab and Haryana High Court, legal notice dated 08.08.2023 (Annexure P-8) is disposed of.

3. After arguing for some time, learned counsel for the petitioners submits that he may be permitted to withdraw the present writ petition with liberty to raise the claim, seeking refund of the said amount by instituting a civil suit before the Competent Court.
3. Keeping in view the aforesaid submission made by learned counsel for the petitioners, the present writ petition is dismissed as withdrawn with the liberty aforesaid.
4. All pending application(s), if any, shall also stand closed.

28.08.2024
Pd

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No