



CWP-12219-2022

-1-

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

(244)

CWP-12219-2022

Date of decision:- 24.09.2025

Harkesh Singh**... Petitioner****Versus****State of Punjab and others****... Respondents****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present:- Mr. Sherry K. Singla, Advocate
for the petitioner.

Mr. Kanav Singla, AAG, Punjab
for respondents No.1 and 2.

Mr. H.K.Brinda, Advocate
for the respondents No.3 and 4.

SUVIR SEHGAL, J. (ORAL)

1. This petition has been filed *inter-alia* for issuance of a writ, in the nature of certiorari, for quashing order dated 13.12.2019, Annexure P-14, passed by respondent No.4, whereby petitioner has been asked to deposit an amount of Rs.8,23,290/-.

2. Mr. Sherry K. Singla, Advocate submits that the petitioner was awarded a contract for cutting 106 trees on the Ropar-Morinda road. It has been alleged that the petitioner had removed 148 trees in excess, in connivance with other accused and had caused loss to the Zila Parishad. An FIR bearing No.233 dated 23.12.2014, Annexure P-1, was registered against him under Section 379, IPC at Police Station City Roopnagar, District Roopnagar.

**CWP-12219-2022****-2-**

Counsel states that petitioner was granted anticipatory bail by this Court vide order dated 15.09.2017, Annexure P-2, subject to the condition that the petitioner would plant 148 saplings and to take care of the saplings for a period of four years. Counsel asserts that the petitioner has complied with the said condition, but by impugned letter, Annexure P-14, petitioner has been asked to make a deposit of the assessed value of the illegally removed trees. Counsel submits that the petitioner replied to the letter and also pointed out that he has complied with the conditions imposed by the High Court. Counsel contends that recovery cannot be effected from the petitioner without complying with the principles of natural justice. It is also his argument that Zila Parishad has instituted a suit for recovery of Rs.8,33,290/- along with interest, which is pending.

3. Petition has been contested by the respondents by filing separate responses. It has been submitted by respondents No.3 and 4 that when the petitioner failed to deposit the amount within the period of one week of the service of order, Annexure P-14, a civil suit for the recovery of the said amount was instituted, which is pending. It has been submitted that the petitioner is also been prosecuted and has been summoned by the learned Additional District & Sessions Judge in a criminal complaint. It has been further stated that appropriate action shall be taken against the petitioner after the conclusion of proceedings pending in the Court.

4. Counsel for the parties have been heard.

5. In para 16 of the written statement filed on behalf of respondents No.3 and 4, stand taken by them is reproduced hereunder:-



CWP-12219-2022

-3-

“16. That it may be added herein that appropriate action shall be taken against the petitioner by the answering respondents after the culmination of the proceedings in the above stated pending Civil Suit No.610 of 2021 and criminal complaint PC/1 of 2021.”

6. It is evident from above that respondents No.3 and 4 have categorically stated that appropriate action be taken against the petitioner after the culmination of the proceedings in the civil suit and criminal complaint.
7. In view thereof, impugned order, Annexure P-14, is ordered to be kept in abeyance and it will not be given effect to, till the conclusion of the civil suit. In case, civil proceeding is decided in favour of respondents No.3 and 4, they will be entitled to revive the impugned order, Annexure P-14, to effect recovery in terms of the decree passed in their favour. In case, civil proceedings end in favour of petitioner, impugned order shall be treated to have been quashed.
8. With the above observations, writ petition is disposed of.

(SUVIR SEHGAL)
JUDGE

24.09.2025
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No