

2025:PHHC:090142



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

**CWP-12375-2025
Date of Decision: 21.07.2025**

Binder and another

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Raj Kumar Garg, Advocate
for the petitioners.

Mr. Harpreet Singh, AAG, Punjab.

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, for issuance of a writ in the nature of Certiorari for quashing the notices dated 07.11.2024 and 21.02.2025, issued by respondent No.4 – Block Development and Panchayat Officer, Phillaur.

2. Short reply by way of affidavit dated 21.07.2025 of Ms. Rajinder Kaur, Block Development and Panchayat Officer, Phillaur, District Jalandhar, Punjab, is filed in Court today, which is taken on record, subject to all just exceptions. A copy thereof is also supplied to learned counsel for the petitioners, in Court today itself.

3. Learned State counsel, while referring to paragraphs No.17 to 19 of reply dated 21.07.2025, submits that after adjustment of the amount, a

total sum of Rs.3,52,000/- is to be recovered. It is further submitted that respondent No.4 has withdrawn the impugned notices dated 07.11.2024 and 21.02.2025, while reserving its right to initiate appropriate proceedings for recovery of the aforesaid amount, in accordance with law.

4. The relevant paragraphs No.17 to 19 of the reply dated 21.07.2025, read as under:-

“17. That at present since, the petitioners have brought new facts that they had made advance payment to the material supply firms for which the material is not procured so far and same is still lying with the said firms, thus, the answering respondent no.04 examined the same and observed that from the aforesaid amount of Rs.12,90,197/-, Sarpanch Avtar Kaur had deposited an amount of Rs.2,86,357/- in Gram Panchayat Bank account while an amount of Rs.6,39,124/- is lying as advance towards vendors whose affidavits are annexed as Annexure P/5.

18. That now after setting off the said amount of Rs.9,25,481/- from total notice amount of Rs.12,90,197/-, the petitioners and Avtar Kaur are liable to make to loss of Rs.3,52,000/- (Rs.2,77,000/- for sale of earth and Rs.75,000/- received as donation). In view of the aforesaid facts, the answering respondent 04 is withdrawing the notice issued to the petitioners by reserving its right to initiate action against the petitioners as prescribed under Section 216 Punjab Panchayati Raj Act, 1994 to make the loss of rest amount of Rs.3,52,000/- good.

19. That since, the answering respondent no.4 has decided to withdraw the notice in question reserving right to make the loss of Rs.3,52,000/- good according to law, thus, the petition filed by the petitioners has become infructuous.”

5. In view of the above and taking into account the fact that the impugned notices have been withdrawn, the present writ petition is rendered infructuous and is accordingly disposed of.

5.1 Needless to say that the respondent-authorities shall be at liberty to proceed for recovery of the amount of Rs.3,52,000/- from the concerned person(s), in accordance with law.

6. All the pending application(s), if any, shall also stand closed.

21.07.2025

Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No