



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

CWP-28007-2023

Date of Decision : **10.03.2025**

MANDIR AMAR HIRDEY TIRATH DINGALI TIRATH

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Rajnish K. Gupta, Advocate,
for the petitioner.

Mr.Pankaj Mulwani, DAG, Haryana.

Mr. Gourav Singla, Advocate,
for respondent no.3.

KULDEEP TIWARI, J.(Oral)

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for issuance of a *mandamus* upon the official respondents, to break open the FDR, as lying deposited with Sarv Haryana Gramin Bank, Branch at Dhand, District Kaithal alongwith interest.

2. This Court vide order dated 03.03.2025, passed the hereinafter extracted order:-

“Through the instant petition, as cast under Articles 226/227 of the Constitution of India, prayer is made for issuance of mandamus upon the official respondents concerned to break open the FDR lying deposited with Sarva Haryana Gramin Bank, Branch at Dhand, District Kaithal and disburse the amount in equal proportion to the account of the petitioner/Mandir and respondent No.5-Gram Panchayat Chandlana, as per settlement, as taken place during the meeting held on dated 29.8.2022 in the village concerned.

During the course of hearing, it transpired that the resolution, which has been passed by the Gram Panchayat has never been approved by the competent authority concerned. The land which was acquired is undisputedly recorded in the revenue record as 'Panchayat Deh', therefore, as to whether, the petitioner can ask for an apportionment of any amount on account of acquisition of panchayat deh land, is a moot question of law for which the learned counsel for the petitioner made a request for addressing the arguments.

Adjourned to 10.3.2025.”

3. Learned counsel for the petitioner, in view of the above preliminary objection as raised by this Court, seeks permission to withdraw the instant petition, with liberty to avail the alternate remedy as per law, by approaching an appropriate forum/court concerned.

4. **Disposed of** with aforesaid liberty.

March 10, 2025
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No