

(2017) 04 RAJ CK 0056
In the Rajasthan High Court
Case No : 1296 of 2016

Lal Chand S/o shri Rambhu Prasad

APPELLANT

Vs

State of Rajasthan

RESPONDENT

Date of Decision : 12-04-2017

Acts Referred:

Citation : (2017) 04 RAJ CK 0056

Hon'ble Judges : Dinesh Mehta

Bench : SINGLE BENCH

Advocate : Naveen Sharma, ?Manish Patel

Judgement

1. Both the counsel are ad idem that the controversy in the present case is squarely covered by the judgment dated 08.2.2016, passed by this Court in Har Govind Singh and other connected matters being SBCWP NO. 13949/2015.

2. In view of the statement so made, the writ petition is also disposed in terms of the aforesaid judgment dated 08.2.2016.

Operative portion whereof is reproduced hereunder:-

"In the result, the writ petition succeed, the same are hereby allowed. The impugned demands created against the petitioners by the respondents are quashed. The matter shall stand remanded to the competent authority to pass an appropriate order afresh, after giving an opportunity of hearing to the petitioners in accordance with law. The amount already deposited by the petitioners against the demands created, pursuant to the interim order passed by this Court or otherwise, shall be subject to final outcome of the inquiry to be conducted by the competent authority. If the petitioners are held liable for the loss, if any, caused to the Panchayati Raj Institution, the amount already deposited by them, shall be adjusted against the demand created, if any.

Needless to say that if the petitioners are exonerated, the amount, if any, deposited by them or where the demand created against them is found to be less than the amount already deposited by them, the excess amount, shall be refunded to them. No order as to costs.