

Court No. - 1**Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1149 of 2023****Petitioner :- Sunita Singh****Respondent :- Union Of India Thru. Secy. Ministry Of Personnel
Public Grievances And Pensions , New Delhi And Ors****Counsel for Petitioner :- Ravindra Singh****Counsel for Respondent :- A.S.G.I.,C.S.C.****Hon'ble Attau Rahman Masoodi,J.****Hon'ble Om Prakash Shukla,J.**

1. Vakalatnama filed by Sri Ashok Pandey learned counsel on behalf of the petitioner is taken on record.
2. Heard Sri Asok Pandey, learned counsel for the petitioner, Sri Gopal Kumar Srivastava, learned Standing Counsel for the State and Sri S.B. Pandey learned Deputy Solicitor General of India assisted by Sri Devrishi Kumar, learned counsel for the Union of India.
3. This writ petition filed in public interest pertains to a service matter. It is well settled that except a writ of quo-warranto, the service matters do not lie within the scope of PIL for invoking the writ jurisdiction of this Court.
4. The writ petition prays for the following reliefs :-
 - (i) *Direct the respondent nos. 1 and 2 not to give any further extension of service to respondent no. 3.*
 - (ii) *Annul the extension orders granting extensions to respondent no. 3 at the post of Chief Secretary.*

(iii) Direct the respondent no. 1 to constitute recommendation committee for recommendation of eligible IAS officers for appointment to the post of Chief Secretary to States.

(iv) Direct the respondent no. 1 to frame guidelines at All India Level for appointment of eligible IAS officers to the post of Chief Secretary in a transparent and accountable manner.

(v) Direct the respondent no. 2 to bring on record the list of eligible IAS officers who are lower down in the ladder and are awaiting promotion to the post of Chief Secretary.

(f) Direct the respondent nos. 1 and 2 to promote eligible IAS officer to the post of Chief Secretary.

(g) Pass such other or further order/s as this Hon'ble Court may deem feet in the facts and circumstances of this case.

5. Insofar as the reliefs prayed for in this writ petition are concerned, we may observe that firstly it is too late for the petitioner to raise any such grievance and secondly the writ petition apprehending a cause in respect of further extension cannot be entertained prematurely. All the reliefs essentially are in the realm of service matter for which the PIL cannot be entertained in view of the law laid down by the Hon'ble Apex Court in the case of **Hari Bansh Lal versus Sahodar Prasad Mahto and others reported in (2010)9 Supreme Court Cases 655.**

6. Insofar as the guidelines for grant of extension are concerned, the same are well defined and even if there are no such guidelines, this Court would not assume any such jurisdiction for guidance of the executive. The policy decisions relating to a

subject matter whether necessary or not is for the executive to look into.

7. The argument put-forth by learned counsel for the petitioner is that the respondent no. 3 was not holding the post of Chief Secretary on the day when the approval was granted by the Central Government on 29.12.2021 pursuant to which extension of service for one year was granted against the rules.
8. We do not notice any challenge to any order specific in the writ petition within the scope of PIL. The petitioner seems to have shown complete indolence on her part to chase a cause regarding which no definite plea is raised in the writ petition with reference to any order sought to be questioned.
9. The writ petition is accordingly dismissed.

Order Date :- 14.12.2023
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