

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

C.W.P. No.21092 of 2010

Date of Decision: July 13, 2015

Mohinder Singh

...Petitioner

Versus

State of Haryana and others

....Respondents

**CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL
HON'BLE MR.JUSTICE HARINDER SINGH SIDHU**

Present: Mr. Ravinder Malik, Advocate,
for the petitioner.

Mr. Sandeep Moudgil, Addl. A.G., Haryana.

..

SATISH KUMAR MITTAL, J.

The learned Single Judge vide order dated May 04, 2015 has ordered for listing the writ petition filed by the petitioner before the Bench dealing with Public Interest Litigations, while passing the following order:-

“By this petition the petitioner had sought multiple reliefs.

The first set of reliefs claimed by him was with regard to his own service conditions. Admittedly all those reliefs have been granted except that the petitioner claims that he and one Lal Bahadur joined on the same date and he being senior in age, should have been granted seniority above aforesaid Lal Bahadur. No reply has been filed by Lal Bahadur and, today, contrary to the written statement filed by respondents No. 4 to 6, learned counsel for the said respondents has accepted that the petitioner and Lal Bahadur were appointed on the same date and the petitioner is senior in age.

In the circumstances this prayer of the petitioner has also to be allowed and he has also to be declared

senior to said Lal Bahadur-respondent No. 15.

The remaining prayers of the petitioner are admittedly in the public interest since he is seeking registration of criminal case against respondents No. 9 to 14 for some alleged fraud. In normal course I would have asked the petitioner to file a petition in public interest specifically for this purpose but considering the fact that the present writ petition has been pending now for 5 years, I deem it appropriate to send this petition for those reliefs to the bench dealing with Public Interest Litigations. Let the same be placed before that bench after obtaining orders from Hon'ble the Acting Chief Justice."

After hearing the learned counsel for the petitioner and learned counsel for the respondent-State, we are of the opinion that in the present case there is no public interest involved. The petitioner is simply seeking registration of criminal case against respondents No.9 to 14 on the basis of some alleged fraud. In our opinion, in this regard the petitioner has an appropriate and effective remedy under the ordinary law of land. He can file criminal complaint against those persons before the criminal court. Therefore, we are not inclined to entertain this petition in public interest and permit the petitioner to take appropriate proceedings against respondents No.9 to 14, in accordance with law, for the alleged fraud.

Dismissed as withdrawn with the aforesaid liberty.

(SATISH KUMAR MITTAL)
JUDGE

July 13, 2015
vkg

(HARINDER SINGH SIDHU)
JUDGE