

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

CWP No. 16888 of 2015

DATE OF DECISION : 17.08.2015

Randhir Singh Uppal

.... PETITIONER

Versus

State of Punjab and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MR. JUSTICE MAHAVIR S. CHAUHAN

Present : Mr. Sarbjeet Singh Khaira, Advocate,
for the petitioner.

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SATISH KUMAR MITTAL, J. (Oral)

The petitioner has filed this petition under Article 226 of the Constitution of India for quashing the order dated 25.06.2015 (Annexure P11) passed by the Punjab State Human Rights Commission, Chandigarh, whereby after enquiring into the complaint made by Kashmir Singh (respondent No.8 herein), the Commission has recommended to the State Government to initiate departmental action against the petitioner in accordance with law.

Learned counsel for the petitioner argued that the finding recorded in the enquiry report is contrary to the record and earlier reports. This court cannot go into this question of fact. As far as the question of jurisdiction of the Commission to enquire into the matter and make

recommendation to the State Government is concerned, the same is not in dispute.

In view of the aforesaid legal position, we do not find any ground to entertain this petition. However, as and when any action is taken against the petitioner on the said recommendation, he will have an opportunity to contest the above enquiry report in accordance with law.

Dismissed with liberty to the petitioner to raise all the points, including the points raised in this petition, before the appropriate Government when the action is taken.

**(SATISH KUMAR MITTAL)
JUDGE**

August 17, 2015
ndj

**(MAHAVIR S. CHAUHAN)
JUDGE**