

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

CWP No. 17464 of 2012 (O&M)

Date of decision : 27.1.2016

Harbhajan Singh Ahluwalia

... Petitioner

VS

State of Punjab and others

... Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Sanjay Majithia, Senior Advocate with
Mr. Inderjeet Singh, Advocate, for the petitioner.

Mr. Nilesh Bhardwaj, Deputy Advocate General, Punjab.

Mr. S. S. Sandhu, Advocate, for respondent no. 4.

Mr. Bisham Kumar, Advocate for
Mr. Pankaj Jain, Advocate, for respondent nos. 5 to 9.

Rajesh Bindal, J.

Prayer in the present writ petition is for quashing of orders dated 7.6.2002 (Annexure P-4) and 17.10.2000 (Annexure P-10).

Vide Annexure P-4, the Government decided to close the enquiry pertaining to sale of certain items. Vide Annexure P-10, a complaint made by the petitioner was filed by the police warranting no action.

Learned counsel for the petitioner claims that the petitioner is a whistle blower of the scam running into ₹ 22 crores. He was an ex-employee of the Punjab Communication Limited. He had earlier raised the issue. The matter went up to Hon'ble the Supreme Court, which was disposed of on 22.2.2008 giving liberty to the petitioner to take appropriate steps in terms of report to be submitted by Director General of Police (Vigilance) Punjab. He further submitted that the Comptroller and Auditor General in its report submitted in the year 1997 opined that there was a scam.

The definite stand of the petitioner is that the petition in hand has not been filed in public interest.

The prayer in the present petition merely suggest that the petitioner is seeking quashing of only two orders Annexures P-4 and P-10 dated 7.6.2002 and 17.10.2000, respectively. The present petition has been filed in September, 2012. It is the admitted case of the petitioner himself that he had earlier raised the issue. The matter went up to Hon'ble the Supreme Court, where it was disposed of on 22.2.2008 giving liberty to the petitioner to avail of his appropriate remedy after submission of report by the Director General of Police (Vigilance), Punjab. However, the fact remains that the orders which are now sought to be challenged, were available at the time when the petitioner earlier approached this Court and the matter was finally disposed of by Hon'ble the Supreme Court. Beyond quashing of the impugned orders, there is no other prayer made in the petition. The petition has not been filed in public interest.

Considering the aforesaid facts, no case for interference is made out in the present petition at this stage.

Dismissed.

27.1.2016
vs

(Rajesh Bindal)
Judge