

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

CWP No. 16491 of 2016 (O&M)

Date of decision: 23.08.2016.

Ravinder Kumar

..... Petitioner.

Versus

State of Haryana and others

.....Respondents.

**CORAM: HON'BLE MR. JUSTICE S.S. SARON
HON'BLE MR. JUSTICE HARI PAL VERMA**

Present: Mr. Vikram Chaudhari, Senior Advocate, with
Ms. Isha Goyal, Advocate, for the petitioner.

S.S. SARON, J.

CM No. 10136-CWP of 2016

The additional affidavit attached to the civil miscellaneous application is taken on record, subject to all exceptions.

The civil miscellaneous application stands disposed of accordingly.

CWP No. 16491 of 2016

On the request of learned Senior Counsel for the petitioner, the writ petition, which is fixed for 29.08.2016, is pre-poned and taken up today for hearing.

Heard learned Senior Counsel for the petitioner.

The writ petition has been filed in the nature of public interest litigation primarily seeking quashing of the Commission headed by Justice S.N. Dhingra (Retired) (respondent No. 4) and for the matters referred to it.

Learned Senior Counsel for the petitioner has submitted that in fact the petitioner has filed a complaint dated 24.05.2016 (Annexure P8)

before the Hon'ble Lokayukta, Haryana. However, when the said complaint (Annexure P8) was filed, there was no Lokayukta holding office and only a preliminary inquiry was conducted by the Registrar of the Lokayukta. The petitioner, it is submitted, has approached this Court as he apprehended that by the time his complaint is actually taken up by the Lokayukta, the inquiry before Justice S.N. Dhingra (Retired), Commission of Inquiry (respondent No. 4) would be completed. In such circumstances, he may be made liable in terms of Section 16 of the Haryana Lokayukta Act, 2002. However, now the Lokayukta, Haryana has assumed office and the office is functioning. Therefore, it is submitted that the petitioner may be allowed to withdraw this petition for the present so as to pursue his remedy with the Lokayukta where his complaint (Annexure P8) is already pending without prejudice to his rights.

Dismissed as withdrawn with the liberty aforesaid. However, the question regarding *locus standi* of the petitioner to file PIL is kept open.

(S.S. SARON)
JUDGE

23.08.2016
Ramesh

(HARI PAL VERMA)
JUDGE

Note:

1.	Whether speaking/reasoned	:	Yes
2.	Whether reportable	:	No