

**CWP No.26016 of 2015**

KUMAR MANOJ  
#1# 16.02.24 13:47  
I attest to the accuracy and  
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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH**

**CWP No.26016 of 2015  
Date of Order: 19.02.2016**

Ram Mehar Singh Kundu

....Petitioner

Versus

State of Haryana and Ors.

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN**

Present: Mr. Ram Mehar Singh Kundu,  
petitioner in person.

**RAKESH KUMAR JAIN, J**

The only argument raised in this petition is that the petitioner has not been allowed to lead evidence during the Vigilance inquiry.

In the past, the petitioner had filed a criminal miscellaneous bearing CRM-M-22836 of 2013, which was dismissed on 25.4.2014. In the said petition, the following order was passed by this Court:

*“During the course of arguments this fact has been admitted that the Vigilance Enquiry No.3 of 19.4.2012 which the petitioner seeks to get transferred had already been completed much before filing of this petition vide report Annexure R-3/2. The allegations levelled by the petitioner were found to be false. It is also admitted that before filing of this petition, the proceedings have been initiated against the petitioner under Section 182 IPC by filing a complaint in the Court of Chief Judicial Magistrate, Faridabad on 12.2.2012. The allegations in the complaint*

*Annexure P-1 levelled by the petitioner against respondent No.3 are that respondent No.3 attended the meeting of Scheme Monitoring Committee on 12.12.2011 in the office of Secretary, Ayush Department, Government of India, Red Cross Building and did his best to sabotage the future of Ayush Cluster in Haryana. During the enquiry, statement of Dr. M. Jalish Subhani, Assistant Advisor, Government of India, Department of Ayush, New Delhi was recorded who specifically stated that issue of sanctioning of Ayush Cluster was not discussed in the meeting held on 12.12.2011. Even as per the petitioner, Ayush Cluster was sanctioned on 22.12.2011 by the Government of India. The petitioner has alleged that the respondent No.3 has been creating pseudonymous complaints but has not produced any document to substantiate this allegation.*

*The petitioner has argued that the enquiry on the complaint made by him was completed without recording statement of material witnesses. This petition has been filed in July, 2013. Admittedly, the vigilance enquiry was completed in September, 2012. The proceedings under Section 182 IPC had already been launched against the petitioner in December, 2012. The petitioner has sought transfer of incomplete investigation in the vigilance enquiry to some independent investigating agency in his petition filed in July, 2013 when the report submitted by the Enquiry Officer after being scrutinized by the officers of the rank of Superintendent of Police/Inspector General of Police/Director*

*General of Police in Vigilance Department, Haryana had been accepted by the Chief Secretary Government of Haryana, Vigilance Department on 7.12.2012.”*

*This order dated 25.4.2014 was challenged by the petitioner before the Hon'ble Apex Court but the SLP was withdrawn.*

*Petitioner has submitted that though the SLP was allowed to be withdrawn but permission was granted to avail his other legal remedy, therefore, present petition has been filed.*

*After hearing the petitioner and going through the record, I am of the considered opinion that the petitioner cannot re-agitate the matter in this writ petition, which he had already done in the criminal miscellaneous and remained unsuccessful upto the Hon'ble Apex Court. He has raised the issue of non-examination of material witnesses before the Criminal Court while pursuing criminal miscellaneous and the said order passed in criminal miscellaneous has been upheld by the Hon'ble Supreme Court, therefore, no interference is called for in this petition.*

*Dismissed.*

**February 19, 2016**  
**manoj**

**(RAKESH KUMAR JAIN)**  
**JUDGE**