

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

CWP No. 8223 of 2016 (O&M)
Date of decision: 01.12.2016.

Jagmohan Singh Bhatti, Advocate Petitioner.

Versus

Union of India and others Respondents.

CORAM: HON'BLE MR. JUSTICE S.S. SARON
HON'BLE MS. JUSTICE LISA GILL

Present: Mr. Jagmohan Singh Bhatti, Advocate - petitioner in person.

None for respondent No. 1.

Mr. P.P.S. Thethi, Additional Advocate General, Punjab
for respondents No. 2 to 4.

None for respondents No. 5 to 11.

S.S. SARON, J.

CM No. 15247-CWP of 2016

The reply by way of short affidavit of Mr. K.A.P. Sinha, IAS, Secretary to Government of Punjab, Department of General Administration (Cabinet Affairs), Chandigarh attached with the civil miscellaneous application is taken on record.

The civil miscellaneous application stands disposed of.

CWP No. 8223 of 2016

The civil writ petition has been filed by the petitioner under Articles 226/227 of the Constitution of India seeking a writ in the nature of *quo warranto* declaring the posts of Chief Parliamentary Secretaries held by respondents No.5 to 11 in the State of Punjab as illegal, unconstitutional and contrary to and in utter disregard to the Constitution (Ninety-first

Amendment) Act, 2003 and for quashing the appointments of respondents No.5 to 11 as Chief Parliamentary Secretaries.

In terms of the reply by way of short affidavit that has been filed and taken on record, it is submitted that in pursuance of order dated 12.08.2016 passed by this Court in CWP No.6715 of 2012, the State Government has stopped the pay, perks and allowances to the Chief Parliamentary Secretaries from the date of said order. It is stated that as on date, no Chief Parliamentary Secretary is drawing pay and perks as Chief Parliamentary Secretary. They are being treated as MLAs and would draw their salaries and other allowances from the Punjab Vidhan Sabha.

The petitioner, who is appearing in person, submits that in view of the above said position as stated in the reply that has been filed, the writ petition has rendered infructuous.

Accordingly, the writ petition is disposed of as infructuous.

(S.S. SARON)
JUDGE

(LISA GILL)
JUDGE

01.12.2016
Ramesh

Note:

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