

CWP No. 9369 of 2015**Date of decision:4.03.2016****Hirdey Pal Singh Rahi****.....Petitioner****versus****UT of Chandigarh and others****.....Respondents****Coram: Hon'ble Mr.Justice Rakesh Kumar Jain****Present:** Petitioner-in-person.

Mr. J.S.Toor, Advocate
for respondents No. 1 to 5.

Mr. Indresh Goel, Advocate
for respondent No. 6.

Rakesh Kumar Jain, J.(Oral)

This petition is filed by the petitioner-in-person who is a practising advocate. He has prayed for writ in the nature of mandamus directing the respondents to conduct a proper investigation as ordered by the Police Complaints Authority, Union Territory, Chandigarh vide Annexure P-1 on the point whether respondent No. 7 was out of India while he was being shown present before the Ld. Trial Court, as respondents No. 2 to 4 have failed to conduct a proper enquiry as directed vide Annexure P-1 and have instead conducted a sham enquiry and have refused to take the enquiry to its logical end on frivolous and extraneous grounds.

Before proceeding further, counsel for the respondents have raised an issue about the locus standi of the petitioner.

Counsel for the petitioner has submitted that though he

has no personal interest in this case but he has filed this petition so that the truth should prevail. He has also submitted that the criminal law can be set into motion by anyone by filing petition before the Court.

Counsel for the respondents have submitted that if it is a Public Interest Litigation(PIL) then the petitioner has a right to approach the Bench hearing PIL but in case this petition is not PIL then he has to show his personal interest which is conspicuous by its acceptance.

Since counsel for the petitioner has fairly submitted that he does not have any personal interest in this petition and has filed this petition only for the purpose of upholding the law.

I have heard both the learned counsel for the parties and after examining the available record, I am of the considered opinion that the present petition in its present form is not maintainable as the petitioner does not have a locus standi. Hence, the present petition is hereby dismissed.

4th March, 2016

Shivani Kaushik

**[Rakesh Kumar Jain]
Judge**