

**CWP No.23348 of 2016**

**{1}**

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

**CWP No.23348 of 2016  
Date of decision:19.09.2017**

**Bhim Sain Gupta**

**... Petitioner**

**Vs.**

**State of Haryana and others**

**... Respondents**

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL  
HON'BLE MR. JUSTICE AMIT RAWAL**

**Present:- Mr. A.D.S.Jattana, Advocate  
for the petitioner.**

**AJAY KUMAR MITTAL, J. (ORAL)**

1. Through Public Interest Litigation (PIL), the petitioner has approached this Court under Articles 226/227 of the Constitution of India for quashing and setting aside the order dated 22.05.2015 (Annexure P-3) issued by respondent No.3, whereby instead of taking action against the persons who had been promoted to the post of Statistical Assistant against the norms and availability of vacancies, had ordered that no action should be taken and the reason given for taking no action is that in case action is taken there would be litigation.

2. At the outset, when learned counsel for the petitioner was confronted as to how the present writ petition (PIL) is maintainable in case of service matter, he submitted that he may be allowed to withdraw the present writ petition (PIL) with liberty to either file a writ of quo-warranto or avail any other alternative remedy in accordance with law.

3.
- Dismissed as withdrawn.
4.
- However, it shall be open to the petitioner to take recourse to the remedies as may be available to him, in accordance with law

(AJAY KUMAR MITTAL)  
JUDGE

(AMIT RAWAL)  
JUDGE

September 19, 2017  
savita

|                           |        |
|---------------------------|--------|
| Whether Speaking/Reasoned | Yes/No |
| Whether Reportable        | Yes/No |