

CWP-25760-2016 (O&M)

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

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**CWP-25760-2016 (O&M).
Decided on: February 3, 2017.**

Ravinder Kumar

.. Petitioner(s)

VERSUS

State of Haryana and others

.. Respondent(s)

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI
*** * ***

**PRESENT Mr.Rajesh Garg, Sr. Advocate, with
Mr.Sundeep Kumar, Advocate,
for the petitioner.**

M.M.S. BEDI, J. (ORAL)

Petitioner challenges the intimation dated 29.8.2016, Annexure P13, received from the office of Lokayukta, Haryana on the complaint of the petitioner, Annexure P12 dated 23.8.2016, complaining about the recommendations and selection of the candidates of non-SCS Officers of Haryana Cadre for Selection List Year 2015-A, as per the provisions of IAS (Appointment by Selection) Regulations, 1955, by the Selection Committee.

As desired by this Court, counsel for the petitioner inter alia, is required to satisfy this Court on the following points: -

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- (i) jurisdiction of the High Court to interfere against the order passed by the Lokayukta;
- (ii) maintainability of the writ petition on account of recommendations having not been finally accepted;
- (iii) Scope of interference in the subjective satisfaction of the Lokayukta while disposing of the complaint; and
- (iv) locus standi of the petitioner as a person being an aggrieved person within the scope of Section 10 of the Lokayukta Act.

Before any decision regarding the maintainability of the petitioner could be taken, Mr. Anil Kumar Yadav, Additional A.G. Haryana, has brought to the notice of this Court that a similar grievance had been raised in a petition before the Central Administrative Tribunal in a case *Lajpat Rai Vs Government of India and others*, but on account of no meeting of Selection Committee having been held during the year 2016 for selection of non-SCS Officers of Haryana Cadre for appointment as IAS, the proposal submitted by the State Government has been returned by the Union Public Service Commission and no meeting of the Selection Committee shall be held and no list for that year shall be prepared on the basis of the recommendations of the State Government. In this context, letter dated 23.1.2017, issued by the Deputy Secretary, Government of Haryana, to the Advocate General, Haryana, intimating the aforesaid decision to the Central Administrative Tribunal, has been placed on record

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along with letter issued on behalf of the Union Public Service Commission dated 6.1.2017.

Counsel for the petitioner, at this stage, submits that the allegations of mal-administration still subsist and can be looked into by the Lokayukta.

I have considered the said contention and I am of the opinion that the act and the decision taken by the Government of Haryana, which is alleged to be an act of mal-administration having not been implemented, there does not appear to be any cause of action for entertaining the present petition.

In above circumstances, the petition is dismissed as having rendered infructuous as no cause of action appears to be existing for adjudication of the writ petition, at this stage.

(M.M.S. BEDI)
JUDGE

February 3, 2017.

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Whether speaking / reasoned
Whether reportable:

Yes / No
Yes / No