

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

CWP No.4937 of 2014

Date of Decision:23.01.2017

Vinod Parkash Verma

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Narender Pal Bhardwaj, Advocate for the petitioner.

Mr. Harish Rathee, Sr. D.A.G. Haryana.

Mr. Sanjiv Gupta, Advocate for respondent No.3.

Ms. Loveleen Dhaliwal, Advocate for respondent No.4.

Mr. Kanwal Goyal, Advocate for respondent No.5.

P.B. BAJANTHRI J. (Oral)

In the instant petition, the petitioner has sought for quashing the validity of the orders dated 13.05.2013, order No.5/118-2012 HRG-I (1)/550 dated 2.8.2013 and order 16/97-2012-HRG (1)/554 dated 21-08-2013 (Annexure P-5 Colly).

Learned counsel for the petitioner submitted that petitioner is in the cadre of Principal, Government Senior Secondary School, Barsat, Karnal. Private respondents No.3 and 4 are stated to be working as teachers in the aforesaid school. On certain allegations, there were dispute between the petitioner and respondents No.3 and 4 which lead to filing of criminal proceedings so also filing a complaint before the department. The department proceeded to initiate certain action against respondents No.3 and 4 pursuant to the criminal proceedings also. Now by the impugned orders (Annexure P-5 colly), the official respondents have taken a decision on

administrative side which is beneficial to respondents No.3 and 4 and same is under challenge in the present petition by the petitioner.

Learned counsel for the petitioner submitted that earlier certain actions are taken against respondents No.3 and 4 which were adverse to them. However, the same has been reviewed which are in favour of respondents No.3 and 4. Such action is contrary to law, illegal and arbitrary.

On the other hand, learned counsel for the respondents submitted that the petitioner being a Principal nowhere his service condition is affected pursuant to the orders (Annexure P-5 colly). It was further submitted that it is not a public interest litigation. Just to harass respondents No.3 and 4, the petitioner has presented this petition.

Heard learned counsel for the parties.

The petitioner is in the cadre of Principal and who is immediate superior to respondents No.3 and 4. Certain disciplinary actions have been taken by the official respondents and the same has been reviewed by the competent authority which is under challenge. The petitioner's service condition were not affected in view of the impugned orders (Annexure P-5 colly). Moreover, the petitioner being in the principal cadre has no locus standi to question the disciplinary action taken against respondents No.3 and 4 and review of decision. Thus, the petitioner has not made out a case so as to interfere with the impugned orders (Annexure P-5 colly).

The petition stands dismissed.

23.01.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No