

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.6768 of 2014 (O&M)
Date of decision:06.04.2017

M.P.Gupta

... Petitioner

Vs.

The State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Gulshan Sharma, Advocate
for the petitioner.

Mr. Sandeep Singh Mann, Sr. DAG, Haryana.

Mr. Shailender Singh, Advocate
for respondent No.4.

AMIT RAWAL J. (Oral)

C.M.No.5113 of 2017

The application is allowed, subject to all just exceptions. The documents, Annexures R-4/5 to R-4/10 are taken on record.

CWP No.6768 of 2014

Contention of the petitioner is that on the basis of complaint bearing No.241 of 2010 filed by one Ram Vir Singh before the Lokayukta, Haryana, Chandigarh and as per the report dated 30.03.2011 (Annexure P-1), the Government was suggested to look into the matter, much less review the case of extension in service of petitioner and take further action

against the concerned officers/officials, who have not discharged their duties honestly and diligently and submit action report.

Mr. Sandeep Singh Mann, learned Senior Deputy Advocate General, Haryana has handed over a communication dated 27.01.2016 from the Additional Chief Secretary to Government Haryana, Technical Education Department to the Registrar, Lokayukta, Haryana, Chandigarh to contend that the Government has decided to file the complaint No.814 of 2011 filed by Ram Vir Singh after considering the report submitted by the Chief Secretary to Government Haryana (Vigilance-II Branch).

The petitioner is stated to have prematurely retired. In my view, the petitioner has remedy to claim damages against the complainant as the Government is not inclined to interfere in the order of Lokayukta. The complaint Nos.814 of 2011 and 241 of 2010 are also stated to be filed. The contents of the communication reads as under:-

“Subject : - Complaint No.814 of 2011 filed by Sh. Ramvir Singh s/o Sh. Ramphal in the O/o Lokayukta, Haryana.

Reference to your Memo No.Lok/Hr./2011/814/17 dated 09.05.2014 on the subject noted above.

2. Government has decided to file the above said matter after considering the report submitted by the Chief Secretary to Government Haryana (Vigilance-II Branch).”

In view of the stand of the State, the writ petition stands disposed of.

(AMIT RAWAL)
JUDGE

April 06, 2017
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No