

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

CWP No.539 of 2017

Date of Decision:16.01.2017

Vinod Kumar and another

... Petitioners

Vs.

Vigilance Department and another

... Respondents

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

Present : Mr. Pardeep Kumar Rapria, Advocate for the petitioner.

P.B. BAJANTHRI J.

In the instant petition, the petitioner has sought for following relief:

“(i) Issue a writ in the nature of mandamus directing the respondents to ensure compliance of the directions of the Five Judge Constitution Bench of the Hon'ble Supreme Court in WRIT PETITION (CRIMINAL) No.68 of 2008 by registering FIR under the relevant provisions of the Prevention of Corruption Act and Indian Penal Code, on the written information of cognisable offence; provided by the Petitioner vide Legal Notice Dated 03.01.2017.

(ii) Direct the respondents to produce the complete relevant record including files, interview proceedings, videography etc. relating to the selection proceedings of Fisherman-cum-Watchman (Group-D).”

Insofar as first relief is concerned, this Court has no jurisdiction for the reasons that under the Criminal Procedure Code, the petitioner has remedy in not registering the FIR.

Insofar as second relief is concerned, Mr. D.S. Nalwa, Addl. A.G. Haryana, who is appearing in connected matter i.e. CWP No.26531 of 2016 submitted that in CWP No.26531 of 2016 statement of objection has

been filed stating that the Director of Fisheries Department, Haryana has cancelled the selection and appointment to the post of Fisherman-cum-Watchman on 30.12.2016.

In view of the later development that the selection and appointment to the post of Fisherman-cum-Watchman has been cancelled, the present petition do not survive for consideration.

Accordingly, the present petition stands disposed of.

16.01.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**