

CWP No.7952 of 2017

[1]

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

**CWP No.7952 of 2017
Date of decision:21.07.2017**

Ved Parkash

...Petitioner

Versus

The State of Haryana and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Sanjiv Gupta, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The petitioner had earlier approached this Court by way of Crl. Misc. No.M-19546 of 2016, filed under Section 482 of the Code of Criminal Procedure, 1973, for seeking a direction to the respondents to look into his complaint and to take appropriate action. The said petition was disposed of by this Court with a direction to the Haryana State Vigilance Bureau to look into the grievances unfolded by the petitioner in his representation and if some substance is found, then take appropriate action in accordance with law within three months.

Counsel for the petitioner has submitted that on the complaint of the petitioner, the matter was handed over by the Haryana State Vigilance Bureau to Sheetal Singh Dhariwal, Deputy Superintendent of Police, State Vigilance Bureau, Ambala Division but the said officer has refused to accept the documents submitted by the petitioner, which may be helpful in inquiry

proceedings. The petitioner, thus, filed COCP No.3323 of 2016 in Crl. Misc. No.M-19546 of 2016. However, the said petition was withdrawn by him on 09.01.2017 in order to seek alternate remedy, in accordance with law. The petitioner then filed another Crl. Misc. No.M-5342 of 2017 as an alternate remedy but the said petition was dismissed on 17.02.2017 on the ground that once a direction has already been issued by this Court, no other direction can be issued and, thus, the petition was not found maintainable.

Counsel for the petitioner has submitted that the respondents are not complying with the direction issued by this Court in Crl. Misc. No.M-19546 of 2016.

After hearing learned counsel for the petitioner and examining the available record, I am of the considered opinion that the present petition is not maintainable because the petitioner cannot invoke the jurisdiction of this Court time and again for the same relief for which the Court has already passed an order, i.e. directing the concerned authority to take appropriate action. The only remedy, in case the direction issued by this Court is flouted, that too willfully, by the concerned authority, is by way of a contempt petition.

Consequently, the present writ petition is dismissed as not maintainable.

July 21, 2017
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned: Yes/No

Whether Reportable: Yes/No