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

CWP-8764-2017
Date of decision : 27.04.2017

Tarsem Diwana

..... Petitioner

VERSUS

State of Punjab and others

..... Respondents

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

Present: Mr. H.S. Rakhra, Advocate
for the petitioner.

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

On account of vindictiveness of respondent No.3, the petitioner appears to have suffered in past.

Through the instant petition, the petitioner seeks a direction to the Government authorities to take action against respondent No.3 alleging that respondent No.3 remains absent from the duty and attends various functions ignoring his duties.

Through the instant petition, a direction is also sought for consideration of the legal notice dated 01.02.2017, Annexure P-1, by respondent No.1, the Secretary, Irrigation Department.

After hearing counsel for the petitioner, I am of the opinion that the petitioner does not have any legally enforceable right against respondent No.3. In case, respondent No.3 indulges in an activity, which would fall under the mis-conduct or the disciplinary laws, it is always open to the employer to take necessary action. In the exercise of jurisdiction under

Article 226/227 of the Constitution of India, I do not deem it appropriate to issue any direction, in this matter.

The petition is dismissed.

(M.M.S. BEDI)
JUDGE

April 27, 2017
Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No