

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

COCP No.433 of 2018

Date of Decision:-12.02.2018

Shivjeet Singh.

.....Petitioner.

Versus

**Sh. Tejvir Singh, Principal Secretary, Information & Public Relations
Department, Punjab Civil Secretariat, Chandigarh.**

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH.

Present:- Mr. K.L. Kohli, Advocate for the Petitioner.

JASWANT SINGH, J.

Petitioner has alleged violation of order dated 04.10.2017 (Annexure P-1) passed in CWP No 26548 of 2014, whereby Principal Secretary Information and Public Relations Department, Punjab Civil Secretariat, Chandigarh was directed to decide the legal notice of petitioner.

Learned Counsel for the petitioner contends that although in compliance of order dated 04.10.2017 (P-1) passed by the Writ Court, an order dated 10.01.2018 (P-4) has been passed, but same has been passed by The Director, Information and Public Relations Officer, Punjab instead of Principal Secretary, Information and Public Relations Department, Punjab, as directed by the Writ Court and thus, there is a willful default on part of respondent, as the Director has no jurisdiction to passed order dated 10.01.2018 (P-4) and it is only the Secretary who can pass an order.

I have learned counsel for the petitioner at length and am of the considered opinion that present petition is completely devoid of merit and therefore liable to be dismissed.

In the opinion of this court, petitioner was mainly aggrieved regarding non-consideration of his claim raised in the legal notice. The said claim has been rightly or wrongly rejected by The Director, Information and Public Relations Officer, Punjab. It is seen that although Principal Secretary was directed to pass a speaking order, however, it is not necessary that the order has to be necessarily passed by the same person/designate authority who had been directed by the Writ Court. The Secretary always has the power to delegate its authority to any senior officer for better functioning of its office. In any case, the order dated 10.01.2018 has been passed by The Director, Information and Public Relations Officer, Punjab, who is undoubtedly the senior most functionary/officer of the department.

In this view of the matter, no contempt is made out against the respondent and consequently, the present petition is hereby dismissed.

(JASWANT SINGH)
JUDGE

February 12, 2018
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>