

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

**CWP No.26940 of 2017(O&M)
Date of decision: 13.11.2018**

Barkha Ram

... Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: Mr. Rakesh Sobti, Advocate for the petitioner.
Mr. Sharad Aggarwal, AAG, Haryana.
Mr. Vikas Chaudhary, Advocate for respondent No.4.
Mr. Davinder Singh, Advocate for respondent No.5.

KRISHNA MURARI, C.J. (Oral)

CM-16630-CWP-2018

Allowed as prayed for. The document (Annexure P-30) is taken
on record.

CWP-26940-2017

The main grievance in this petition was with respect to power
of review exercised by the Human Rights Commission by reviewing its own
order dated 05.09.2016, whereunder the petitioner was held entitled to
receive a compensation of Rs.50,000/-.

It is not denied that after filing of this petition, a sum of
Rs.50,000/- by way of compensation has been received by the petitioner.

Now, it is prayed before us that the said amount ought to be recovered from

respondent No.4 as per the original order passed by the Human Rights Commission. Admittedly, the payment has been made by the State Government and it is for the State Government to take a decision as to whether it intends to make recovery from respondent No.4 or not.

In our considered view, the petitioner cannot have any say in the matter. Moreover, the amount awarded as compensation has already been received by him. Insofar as other allegations are concerned regarding exoneration of respondent No.4 in departmental proceedings, we are constrained to observe that the petitioner has no locus in the matter, inasmuch as, disciplinary proceedings are *inter se* between employee and employer. The other issue is in respect of lodging of a false First Information Report against the petitioner. If that is so, it is open to avail such other remedies as available to him in law in respect thereof. These reliefs being pressed are beyond the scope of the present petition.

In such view of the matter, this petition is not liable to continue on Board and accordingly stands dismissed.

(Krishna Murari)
Chief Justice

(Arun Palli)
Judge

13.11.2018
Rajan

Whether speaking / reasoned:
Whether Reportable:

YES
NO