

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 5839 of 2018 (O&M)
Date of decision: 8.3.2018

Ranjit Singh Baath

.. Petitioner

v.

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE B. S. WALIA

Present: Mr. Sunny Singla, Advocate for the petitioner.

...

Rajesh Bindal J.

The petitioner has approached this Court impugning the notification dated 6.3.2018 issued by the Haryana Government, Home Department, whereby earlier notification No. S. O. 99/H.A.22/2014/S.13/2014 dated 29.8.2014 has been rescinded.

Vide earlier notification, the petitioner had been appointed as Additional Commissioner Gurdwara Elections for a period of five years. Other terms and conditions of his appointment were to be issued later on. Vires of the provisions of Haryana Sikh Gurdwaras (Management) Act, 2014 (for short, 'the Act') are under challenge before Hon'ble the Supreme Court in Writ Petition (Civil) No. 735 of 2014—Harbhajan Singh v. State of Haryana and others. Though notification dated 29.8.2014 provided that other terms and conditions of the appointment will be issued later on,

however, the same were issued only on 12.7.2017 and till that time, no work was being done by the petitioner. In terms of Section 50 of the Act, the amount to be paid to the Commissioner and the staff is to be charged from the State Treasury, meaning thereby they have to be paid from public funds. Once the Act itself is under challenge before Hon'ble the Supreme Court and the petitioner had not been discharging any function, we do not find any illegality in the action of the State in rescinding the notification appointing the petitioner as Additional Commissioner Gurdwara Elections.

The writ petition is, accordingly, dismissed.

(Rajesh Bindal)
Judge

(B. S. Walia)
Judge

8.3.2018
mk

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No