

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

**CRM-M No. 10394 of 2019
Date of Decision:-07.03.2019**

Anoop Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Tushar Gautam, Advocate
for the petitioner.

MANOJ BAJAJ J.(Oral)

Petitioner Anoop Singh has filed the present petition under Section 482 Cr.P.C. for issuing directions to the official respondents to take legal action against the private respondent No.5 by registering the criminal case/FIR on the complaints (Annexures P-8 to P-10) moved by him against the fraud played by him for continuing his services in the office of Deputy Commissioner, Mewat by forging and fabricating official documents. It has been further prayed that the matter/complaints be investigated by a higher rank officer of Superintendent of Police or from an independent agency.

As per the allegations contained in the complaint (Annexure P-10) moved by the petitioner, respondent No.5-Jitender Kumar Clerk was originally appointed as Clerk in Education Department, Haryana in the year 2000 on regular basis. Thereafter, on 02.1.2006, respondent No.5 had applied to get himself adjusted in the office of Deputy Commissioner,

Mewat. The Deputy Commissioner, Mewat, vide letter dated 04.9.2007 sought 'No Objection Certificate' from the parent Department of respondent No.5 to get him adjusted in his office. The grouse of the petitioner is that the Director General School Education, Haryana vide letter dated 07.11.2007 refused to spare respondent No.5 due to shortage of staff, but with malafide intention this fact was concealed by respondent No.5 from the Deputy Commissioner, Mewat and on the basis of false and fabricated document in the form of NOC vide letter dated 06.9.2007, he remained posted in the office of Deputy Commissioner, Mewat on the post of Personal Assistant of DC, Mewat.

The petitioner, who claims himself to be a social activist, may not have locus standi to challenge the posting of respondent No.5 on deputation/absorption in the office of Deputy Commissioner, Mewat. It is conceded by learned counsel for the petitioner that on the same cause of action a CWP No.40575 of 2018 was brought by the petitioner and the same stands dismissed as withdrawn vide order dated 16.1.2019.

Once, for the same relief, the writ petition filed has been withdrawn, no ground is made out for invoking inherent powers under Section 482 Cr.P.C.

The petition is hereby dismissed.

March 07, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No