

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 21468 of 2019

Date of Decision: 20.08.2019

Rajan

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Nandan Jindal, Advocate
for the petitioner.

Ms. Simran Grewal, AAG Punjab.

RAJIV NARAIN RAINA, J. (Oral)

1. The present petition has been presented with a litany of defects integral to the maintainability of the petition for parole. The petitioner, Rajan, alleging to be a cousin of Rajiv @ Raja convict has filed this petition seeking parole for the convict even when he has no *locus standi* to make such a prayer on behalf on the non-petitioner-convict. Furthermore, the Power of Attorney/Vakalatnama has not been signed by the counsel which is also a glaring and incurable defect on the judicial file. If the convict has any grievance he was free to approach the Court but he cannot do so by proxy.

2. This petition was a sheer wastage of time to place before this Court even though the Registry rightly put an objection as to the maintainability of the petition when neither the lawyer signed the

vakalatnama and it was Rajan/petitioner who has written against the objection of the Registry to list the case before the Bench “as it is”.

3. For the observations made above, the petition is dismissed with costs of Rs. 10,000/- to be paid in the Poor Patient Fund, PGIMER, Chandigarh. Costs be paid by Rajan and in case payment is not made, PGIMER is free to recover the costs as arrears of land revenue.

4. Accordingly, the previous order is recalled and the petition is dismissed with liberty to the convict to move a motion independently.

(RAJIV NARAIN RAINA)
JUDGE

20.08.2019

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