

CWP-16697-2022
Date of Decision: 01.08.2022

HARYANA STATE COUNCIL'S EMPLOYEES
WELFARE ASSOCIATION

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Naresh Kumar Lambra, Advocate
for the petitioners.

Mr. Pankaj Middha, Addl. A.G., Haryana.

Mr. Udit Mendiratta, Advocate
for respondents No.2 and 3.

Mr. Shalender Mohan, Advocate
for respondent No.5.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seek issuance of a writ in the nature of *mandamus* directing respondent No.3 to suspend and keep away respondent No.5 from the work place and withhold his emoluments pending his inquiry in complaint dated 23.06.2021 (Annexure P-2) on the basis of legal notice dated 02.06.2022 (Annexure P-1).

2. Learned counsel for the petitioner submits that respondent No.5 is a senior-most administrative officer of respondent No.2/Council and is the Incharge of Accounts Branch. Petitioner made a complaint against respondent No.5 alleging misuse of his position to influence the decision of respondent No.2 (disciplinary authority) and the petitioner-Association apprehends that now there are bountiful chances of his influencing the inquiry pending in complaint (Annexure P-2) by doing alterations, omissions, generation and destruction of said record.

3. On advance service of copy of the petition, learned State counsel and learned counsel for private respondents appear and oppose issuance of notice of motion. They submit that the present petition has been

filed with ulterior motive and hence, is liable to be dismissed being frivolous.

4. Heard.

5. No grounds to interfere both on the count of *locus* of the association as well as on merits of the nature of relief sought herein.

6. Dismissed.

August 01, 2022

gurpreet

(ARUN MONGA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No