

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

122

CWP-13028-2023

Date of Decision: 05.07.2023

Resham Singh

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Ms. Sukhvir Gill, Advocate
for the petitioner.

Mr. R.K. Kapoor, Addl. A.G., Punjab.

SANJEEV PRAKASH SHARMA, J (ORAL)

1. This is a civil writ petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the official respondents to take action against respondent No.4 on the representation filed by the petitioner dated 27.03.2023 (Annexure P-19).

2. Learned counsel for the petitioner submits that it is the duty of the State Department to take decision on the representation and initiate proceedings against respondent No.4 who has been harassing the petitioner by filing one after the other false applications.

3. I have heard learned counsel for the petitioner at length and have considered the submissions.

4. To take departmental action against an officer or an employee, is in exclusive domain of the State. This Court would not issue a writ of mandamus at the asking of any individual for initiating action. It is another aspect where this Court finds that an employee has *prima facie* committed a

delinquency in proceedings before it and make observations directing the State-authorities to take appropriate disciplinary action. However, in the present case, no such facts have come on record. It is a case where the petitioner feels that he is being harassed by respondent No.4. The remedy for personal grievances of harassment lies elsewhere and not by filing of writ petitions under Article 226 of the Constitution of India.

5. Keeping in view the above, the present petition is found to be wholly misconceived and accordingly, the same is dismissed.

(SANJEEV PRAKASH SHARMA)
JUDGE

05.07.2023

D.Bansal

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