

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

(114)

CWP-27509-2023

Decided on : 07.12.2023

Mahavir Kumar

.....Petitioner(s)

Versus

Punjab & Haryana High Court and others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MS.JUSTICE LAPITA BANERJI**

Present: Mr. H.C. Arora, Advocate for the petitioner (s).

Mr. Ranjit Singh Kalra, Advocate for respondent Nos.1 to 3.

G.S. Sandhawalia, J. (Oral)

Prayer in the present writ petition filed under Article 226 of the Constitution of India is for directing respondent No.1 to finalize the inquiry on the administrative side on the complaint dated 23.09.2022 (Annexure P-28) within a specified time frame.

2. The allegations are against respondent No.4 who is a serving Judicial Officer against whom the alleged inquiry is sought to be completed. It is a matter of record that the petitioner has already approached this Court in CRM-M-54391-2023, in which the same representation dated 23.09.2022 is also subject matter of consideration. The operative part of the order dated 20.11.2023 passed by us in the said case reads as under:-

“Inter alia contends that serious allegations have been made against respondent No.4 by way of representation dated 23.09.2022 (Annexure P-28) addressed to this Court including initiation of criminal proceedings. The petitioner has not been intimated the latest status of the said proceedings.

Notice of motion.

On having advance copy, Mr.Sheoran and Mr.Kalra accept notice on behalf of respondents No.1 and 2, respectively.

To come up for service of respondents No.3 & 4 on 24.01.2024.”

3. Paragraph Nos.11 & 12 of the present petition also making interesting reading to the extent of action which has been taken on the complaint by this Court. Said paragraphs read as under:-

“11. That for following up of the aforesaid complaint Annexure P-28 dated 23.09.2022, the petitioner called upon Hon'ble Sh. Vikram Aggarwal, the then Registrar Vigilance, on 17.10.2022. Thereafter, on 05.12.2022, the petitioner called on Mr Manish Dhube, who put a lot of questions to the petitioner, and recorded his detailed statement, which was got signed by the said Officer from the petitioner on each page. The petitioner was again called and he appeared before the aforesaid Officer on 18.01.2023, and he was again questioned in detail, and the statement given by the petitioner was got signed on each page. The petitioner also submitted voluminous evidence in the shape of documents, to the aforesaid Officer both on 14.12.2022 and 18.01.2023.

12. That since the petitioner did not receive any intimation or communication from the Registrar Vigilance, he therefore, called on Sh. Kamaljit Singh Lamba, the new Registrar Vigilance on 24.02.2023, and again on 03.03.2023, to know about the outcome of administrative enquiry into his complaint. However, he was orally informed by the said officer that the enquiry has been concluded at his level, and now the report has been sent by him for consideration by the competent authority. The petitioner has not however, received any information regarding the outcome of the administrative enquiry conducted by the Registrar Vigilance, into the complaint submitted by the petitioner against the respondent No. 4.

4. As per averments itself made in paragraphs No.11 & 12, the matter is being looked into and, therefore, we feel that a second petition on the same cause of action would not lie in the peculiar facts and circumstances.
5. Resultantly, we dismiss the present writ petition in limine.

(G.S. SANDHAWALIA)
JUDGE

(LAPITA BANERJI)
JUDGE

07.12.2023
Naveen

Whether speaking/reasoned :	Yes	
Whether Reportable :		No