

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-7113-2022 (O&M)
Date of decision: 22.04.2024

JITENDER SINGH

.....Petitioner

VERSUS

UNION OF INDIA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- None for the petitioner.

Mr. Satya Pal Jain, Addl. Solicitor General of India with
Mr. Arun Gosain, Advocate
for respondent No.1.

Mr. Ankit Kamboj, Advocate
for respondents No. 3 and 4.

Mr. Sandeep Dhull, Advocate
for respondent No.5.

VINOD S. BHARDWAJ, J. (Oral)

The instant writ petition has been filed seeking issuance of a writ of Quo Warranto by raising a challenge to the appointment of respondent No.5 to the post of Deputy Registrar (Finance and Accounts), National Institute of Pharmaceuticals Education and Research, Mohali.

Learned counsel appearing on behalf of respondent No.1 was informed that a similar writ petition had also been filed raising challenge to the appointment of the Registrar with NIPER. The said writ petition was allowed by the learned Single Judge vide judgement dated **30.11.2012** passed in **CWP-6458-2012**.

A Letter *Patent Appeal No. 2094-2012* was filed before a Division Bench titled “*Wing Commander P.J.P. Waraich (Retd.) versus Dr. Parikshit Bansal and others*” and that in the said writ petition, the Division Bench has held that the post of the Registrar of NIPER is not a public office and that a writ of Quo Warranto would not be maintainable.

The order passed by the Single Judge had thus been set aside. It is contended that SLP No. 11063-2023 was preferred against the above said judgment dated 03.05.2023 passed in LPA No. 2094 of 2012 which has also been dismissed vide order dated 29.05.2023. He contends that the said issue would be applicable to the facts of the present case as well.

The present writ petition is accordingly dismissed in view of the judgment dated 03.05.2023 passed in LPA No. 2094 of 2012 titled as “*Wing Commander P.J.P. Waraich (Retd.)* (supra).

All the pending miscellaneous application(s), if any, are also disposed of.

(VINOD S. BHARDWAJ)
JUDGE

APRIL 22, 2024

Vishal sharma

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