



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

(Sr. No. 109)

LPA No.2158 of 2024

Date of decision: 06.09.2024

Rajiv Sabharwal

..... Appellant

Versus

Managing Director, Haryana Tourism Cooperation Ltd.

..... Respondent

**CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr. Parveen Gupta, Advocate for the appellant.

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DEEPAK SIBAL, J. (Oral)

(1) The present intra court appeal is directed against judgment dated 29.11.2023 passed by a learned Single Judge of this Court dismissing the appellant's writ petition.

(2) After hearing learned counsel for the appellant and examining the record as also going through the impugned judgment, we find that the appellant's writ petition filed under Article 226 of the Constitution of India has been dismissed on the ground that the same involved adjudication of disputed facts as what has been challenged by the appellant was the recovery sought to be made from him on account of alleged loss caused by him to the respondent – Haryana Tourism Corporation Ltd., which he disputed.

(3) The recovery impugned by the appellant is based on an inquiry report by the Audit Department. The appellant disputes the findings thereof. Before a decision can be arrived at in the favour of either party delving deep in



facts would be required which this Court should refrain in the exercise of its writ jurisdiction.

(4) In the light of the above, we are of the view that the learned Single Judge committed no error denying the relief to the appellant in the exercise of this Court's writ jurisdiction.

(5) Dismissed.

(6) It is, however, clarified that in the alternate remedy, if any, that the appellant may choose, he would be at liberty to raise all issues available to him, in law.

(DEEPAK SIBAL)
JUDGE

06.09.2024
sunil yadav

(DEEPAK MANCHANDA)
JUDGE

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