

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

105

CWP-27208-2023

Date of decision: 01.04.2024

HUMAYUN KABIR

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

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

Present:- Mr. Mohammad Arshad, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

1. Challenge in the present writ petition is to the order dated 16.05.2023 bearing Memo No. E-11-23/5581-83 whereby respondent No.3 has granted extension in service to the respondent No.6 and the same is stated to be illegal, unjust and improper.
2. Learned counsel appearing on behalf of the petitioner has argued that the respondents have granted extension of two year service to the respondent No.6, even though, he had a doubtful integrity as reported by the Head Master (Annexure P-2).
3. A specific query was raised to the counsel for the petitioner as to the policy under which any person qua whom an ACR regarding doubtful integrity is filed would not be entitled for seeking an extension in the service, counsel for the petitioner is not in a position to refer to any of policies even though the matter was adjourned earlier on two occasions.
4. Counsel for the petitioner was confronted with the

summary of the ACR that had been appended by him alongwith the present writ petition and is available on page 22 as Annexure P-3 as per which there is no doubtful entry record and also appended as Annexure P-6 which shows that in the service record of respondent No.6, there is no adverse entry. No satisfactory explanation has been given by the petitioner as to how and under what circumstances a report forwarded by the Headmaster of the School should prevail upon the final ACR recorded by the competent authority.

5. Counsel for the petitioner also has failed to satisfactorily respond as to what is his locus considering that the petitioner is not a competing person against the extension of service granted to respondent No.6 and as such, he has no personal loss or injury and that he may at best be espousing a larger public cause.

6. As no explanation has been furnished by the counsel for petitioner on all these three issues that have been posed to him on all the dates and despite the matter having remained pending since December, 2023, I find that there is no merit in the present writ petition, the same is accordingly dismissed.

(VINOD S. BHARDWAJ)
JUDGE

APRIL 01, 2024
Vishal sharma

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