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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 12292/2024 & CM APPL. 51131/2024**

MOHAN LAL MEENA

.....Petitioner

Through: **Mr. Sahil Kalra, Advocate.**

versus

UNION OF INDIA AND OTHERS

.....Respondents

Through: **Mr. Amit Tiwari, CGSC with Mr. Himanshu Bhiduri, GP, Mr. Ayush Tanwar and Mr. Rahul Bhaskar, Advocates for R-1, 3 & 4 with SI Vinay Kumar, PS: Vigilance. Mr. Ravinder Agarwal, Advocate for R-2/ UPSC.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

20.11.2024

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1. Mr. Mohan Lal Meena, the Petitioner, has invoked the jurisdiction of this Court under Article 226 of the Constitution of India, 1950¹ seeking a writ of certiorari calling upon the Respondents to produce the record of the complaint/ representation dated 09th May, 2023 and 06th March, 2024 submitted by him and also a writ of mandamus to Respondents to take action on the said complaints.

2. To contextualize the issue, certain pertinent facts need to be noted. Mr. Mohan Lal Meena is married to Mrs. Sheela Meena. Admittedly, there is a matrimonial dispute between them and the proceedings under the Hindu



Marriage Act, 1955 are pending before the courts in Delhi. In addition to matrimonial litigation, Petitioner has also initiated criminal proceedings against his father-in-law and brother-in-law. The crux of his present grievance centres on complaints directed against his brother-in-law, Mr. Manish Jorwal, a DANIPS officer serving with the Delhi Police.

3. The Court is apprised by Mr. Amit Tiwari, CGSC for Respondents No. 1, 3 and 4, that both the complaints submitted by Petitioner have undergone thorough scrutiny. It has emerged that the complaints have common allegations against Mr. Manish Jorwal of securing a government job by concealing information pertaining to the criminal proceedings pending against him. That apart, in complaint dated 6th March, 2024, Mr. Manish Jorwal is accused of committing bigamy by marrying Ms. Yogita Meena on 09th February, 2022 without getting divorce from his first wife, Dr. Neha Jorwal. Further, allegations have been made that Mr. Jorwal has been giving protection to Ms. Yogita Meena, who allegedly secured fake caste certificate (Scheduled Tribe) in order to secure government employment. However, on enquiry, none of the allegations levelled by Petitioner against Mr. Manish Jorwal has been sustained.

4. Mr. Amit Tiwari, CGSC for Respondents No. 1, 3 and 4, has produced the records, maintained by the Delhi Police, pertaining to the complaints filed by the Petitioner, which has been returned after perusal. As regards the allegation of concealing information, the aforementioned record reveals that enquiry on similar allegation has already been conducted by Vigilance, Delhi Police vide. No. 148/SO/Addl.CP/Vigilance, Delhi dated 26th December, 2019 and the allegation levelled against Mr. Jorwal could

¹ “Constitution”



not be sustained. Furthermore, the enquiry conducted by the Vigilance unit reveals that Mr. Manish Jorwal had obtained a decree of divorce with his first wife, Dr. Neha Jorwal. To support this contention, Mr. Manish Jorwal had produced a divorce decree dated 15th October, 2020 issued by the Principal Judge, Family Courts (West), Tis Hazari Courts. The allegation of obtaining fake certificate of caste which was levelled against Ms. Yogita Meena, purportedly used for securing employment in the Government job, also could not be sustained.

5. Despite the said enquiries, Petitioner is not satisfied and seeks the judicial intervention of this Court.

6. During the course of submissions, Mr. Tiwari has informed this Court that the Petitioner had, in fact, on 20th June, 2016 and 13th October, 2016 made similar complaints which were also enquired and none of the allegations could be sustained. It is pointed out that Petitioner is relentlessly filing complaints against his wife's brother and father, on one ground or the other to settle person score.

7. It is a well-settled principle that for a writ of mandamus or certiorari to be maintainable under Article 226 of the Constitution, the Petitioner must demonstrate a direct infringement of a legal right or a personal injury resulting from the action or inaction of the Respondents. In the present case, the Petitioner is effectively seeking to challenge the service record of Mr. Jorwal and raise allegations which relate to his personal affairs, which do not impinge upon any legal right of the Petitioner. Filing a writ petition in this context amounts to an abuse of the judicial process. The complaints are being used as a weapon of harassment. The Court cannot be a forum for ventilating personal vendettas or settling matrimonial disputes by proxy. The



persistent efforts to drag Mr. Jorwal into unwarranted litigation stems from personal animosity arising out of matrimonial discord, which cannot be countenanced. Therefore, judicial intervention under Article 226 of the Constitution, should not be encouraged.

8. Accordingly, the present petition is disposed of with a cost of INR 25,000/- on Petitioner, which is directed to be paid to Delhi Legal Services Authority within two weeks from today.

9. Disposed of along with pending applications, if any.

SANJEEV NARULA, J

NOVEMBER 20, 2024

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