



CWP-10215-2025

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision:24.07.2025

CHAMKAUR SINGH

...PETITIONER

VS.

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Rajesh Punj, Advocate and
Mr. Sahaj Punj, Advocate for the petitioner.

SUVIR SEHGAL, J.

1. Instant petition has been filed under Articles 226/227 of Constitution of India *inter alia* for issuance of a writ in the nature of certiorari quashing orders dated 02.11.2020 and 27.09.2024, Annexures P-4 and P-9, respectively, whereby charge-sheet dated 06.06.2020, Annexure P-3, issued to respondent No.6, has been dropped and petitioner has been informed that there is no provision for *de novo* enquiry.
2. Counsel for the petitioner submits that the petitioner retired from the post of Punjabi Teacher C&V Cadre on 31.12.2016 and although he was granted an extension, but on his request, he was relieved on 03.07.2017. He submits that the petitioner is a social worker and has been visiting the Government Senior Secondary School (Boys) at Sangrur as he is interested in the education as well as physical and mental well-being of children. He came to know that respondent No.6, a Lecturer of Physical

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Education, is hand in glove with the Principal of the school and has not been taking classes. Counsel submits that the petitioner submitted a complaint against him and an inquiry was conducted. Counsel asserts that a perusal of the inquiry report dated 09.01.2020, Annexure P-1, shows that respondent No.6 had committed serious irregularities, a charge-sheet dated 06.06.2020, Annexure P-3, was issued to him and an Enquiry Officer was appointed. Counsel submits that petitioner was named as one of the witnesses to depose before the Enquiry Officer. Subsequently, writ petitioner filed an RTI application and vide reply dated 17.07.2023, he came to know that charge sheet has been dropped vide impugned order dated 03.11.2020, Annexure P-4. In response to a legal notice, petitioner was informed vide communication dated 27.09.2024, Annexure P-9, that charge sheet once dropped cannot be opened for a *de novo* trial. Leveling allegation against a former Education Minister, counsel for the petitioner has argued that an enquiry deserves to be held into irregularities by respondent No.6 and contends that dropping of charge sheet is illegal.

3. I have heard counsel for the petitioner and considered the submissions.

4. On the basis of a preliminary inquiry, a charge sheet, Annexure P-3, was issued to respondent No.6 under Rule 8 of the Punjab Civil Services (Punishment and Appeals) Rules, 1970, leveling allegations that he is responsible for the disappointing result of Government Senior Secondary School (Boys), Sangrur. It has been also alleged that there is tampering in the attendance register. Inquiry Officer alongwith his report and petitioner have been named as the two witnesses to be produced against him in the



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disciplinary proceedings. An Enquiry Officer was also appointed, but by impugned order dated 03.11.2020, Annexure P-4, competent authority withdrew the list of charges.

5. Petitioner has filed the instant petition claiming that he is interested in the welfare of the school and on his complaint, disciplinary proceedings were initiated against respondent No.6. Concededly, petitioner is a third party to the departmental enquiry, which was proposed to be held against respondent No.6. In **R.K. Jain Vs. Union of India (1993) 4 SCC 119**, Supreme Court has observed that in service jurisprudence it is for the aggrieved person to assail the legality or correctness of the departmental proceedings. A third party has no *locus standi* to question an administrative action. Petitioner, although, he is a complainant and a proposed witness before the disciplinary authority, does not have any *locus standi* to challenge an order passed by the competent authority dropping the disciplinary proceedings initiated against respondent No.6.

6. Despite being granted opportunities, as is clear from the perusal of the order sheets, petitioner has not been able to cite any judicial precedent to the contrary. This Court, therefore, does not find any reason to entertain the instant petition in exercise of its extra-ordinary jurisdiction.

7. Writ petition is not maintainable and is dismissed, though with no order as to costs.

24.07.2025

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(SUVIR SEHGAL)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No