

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

2025:PHHC:063349



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CRM-M-21331-2025 (O&M)

Date of Decision: 13.05.2025.

Sarabjit Kaur

...Petitioner.

Versus

State of Punjuab and others

...Respondents.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. A.S. Sekhon, Advocate for the petitioner.

SUKHVINDER KAUR, J. (Oral)

Prayer in the instant petition filed under Section 528 of BNSS, 2023 is for directing respondents No.1 to 3 for deciding representation dated 27.12.2024, which was given upon the direction of Hon'ble Supreme Court of India in case SLP No.20167-20169/2022 vide order dated 17.12.2024 and instead of deciding the same in a time bound manner, is delaying the decision and have not commenced the inquiry in accordance with notification No.9/12/2003-RC-1/1615 dated 10.12.2004.

Learned counsel for the petitioner has contended that the petitioner is paternal aunt of deceased Harpreet K. Singh and sister-in-law of Amir Singh @ Karnail Singh (father of Harpreet K. Singh). The petitioner had filed representation before Senior Superintendent of Police, SAS, Nagar, Mohali against Harpreet K. Singh, ICAS and Amir Singh @ Karnail Singh for getting government job on the basis of false caste certificate. The petitioner had filed a petition bearing No.CWP-6944-2022

and vide order dated 20.09.2022 this Court had issued certain directions to Harpreet K. Singh. Aggrieved against the aforesaid order along with other orders Harpreet K. Singh filed SLP No.20167-20169/ 2022, in which, Hon'ble Supreme Court directed the petitioner vide order dated 17.12.2024 to address her grievance before the committee constituted under notification dated 10.12.2004. In pursuance of above said order dated 17.12.2024, the petitioner filed a fresh representation dated 27.12.2024 before Principal Secretary, Department of Social Justice Empowerment and Minorities, Punjab. Principal Secretary issued a letter No.1/1013429/2025 dated 20.01.2025 to the Director, Department of Social Justice Empowerment and Minorities and conveyed that his Vigilance Cell would make the enquiry. Thereafter, the petitioner filed a reminder bearing diary No.901 dated 21.02.2025 to the Director, Department of Social Justice Empowerment and Minorities for conducting the enquiry as soon as possible. He has further submitted that the Director, Department of Social Justice Empowerment and Minorities was given a letter No.S26/3374 dated 13.03.2025 by Nodal Officer, Reservation Cell in the office of Directorate, Department of Social Justice Empowerment and Minorities informing him that the vigilance cell had already given its report dated 30.06.2023.

Vide letter dated 13.03.2025 (Annexure P9), Nodal Officer, wrote to the Director and not obeyed the directions of Principal Secretary and is delaying the matter despite the notification which says that enquiry is to be conducted within 60 days. He urged that the respondents are not doing justice with the petitioner and are delaying the matter on one pretext or the other and are not following the guidelines of Hon'ble Apex Court or the notification dated 10.12.2004 (Annexure P3).

During the course of arguments, learned counsel for the petitioner has submitted that he would be satisfied if the representation dated 27.12.2024 (Annexure P-6), which had already been moved before the Principal Secretary, Department of Social Justice, Empowerment and Minorities, Punjab is looked into.

Notice of motion.

Ms. Gagandeep Kaur, DAG, Punjab, accepts notice and submitted that he has not objection if the aforesaid representation dated 27.12.2024 (Annexure P-6) is looked into.

In view of the above, the petition is disposed of with a direction to respondent No.3, to look into the representation of the petitioner and pass an appropriate order, in accordance with law, preferably within a period of 06 weeks from the date of receipt of copy/ production of this order.

Disposed of.

(SUKHVINDER KAUR)
JUDGE

13.05.2025.

Komal

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