

134 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-18663-2025 (O/M)

Date of decision : 29.07.2025

Suman Verma

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. Vipul Babuta, Advocate
for the petitioner.

Mr. Nirmaljit Singh Diwana, Senior DAG Punjab.

Mr. Vikrampreet Arora, Advocate
for respondent No. 2-Municipal Corporation, Ludhiana.

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HARSH BUNGER, J. (ORAL)

1. Prayer in this civil writ petition filed under Article 226 of Constitution of India, inter alia, is for issuance of a writ in the nature of mandamus for directing respondent No. 2 to take appropriate legal action on the representations dated 08.05.2025 (Annexure P-1) and 26.06.2025 (Annexure P-2), submitted by petitioner and for further restraining respondent No. 4 from creating obstruction/hindrance in Government duty of petitioner, being an elected Municipal Councillor.

2. Briefly, petitioner is stated to be an elected Municipal Councillor of Ward No. 70, Ludhiana. It is claimed that the petitioner is taking all possible measures for development of said ward and Government officials of Municipal Corporation, Ludhiana are also assisting and supporting him, however, respondent No. 4 (Himanshu

Sharma), who is stated to be Junior Engineer in the aforesaid Corporation, is creating obstruction in the working of the petitioner in one way or the other, at the instance of respondent No. 5 (Kamraj Sharma Bobby), who is father of respondent No. 4. It is alleged that respondent No. 4 is acting at the instance of respondent No. 5, who had contested and lost the municipal elections against petitioner.

2.1 It is also alleged that respondents No. 4 and 5 speaks derogatory words about the petitioner and causes harassment to him and are also trying to spoil his reputation in the society.

2.2 In para-4 of the writ petition, petitioner has further alleged as under :-

“4. When petitioner discussed the same with concerned officer/officials of Municipal Corporation, Ludhiana about the work then the said officials/officers informed the petitioner by saying that “do not take my name. We are ready to do your every work of ward but Himanshu Sharma (J.E., O&M Cell, MCL) respondent no. 4 by misusing his post do not allow us to do your work and by taking names of representative of ruling party, he use to put pressure upon us that if you did any work of Suman Verma (petitioner) then you will have to face dire consequences”. When petitioner tried to resolve the said issue and spoke about this with Himanshu Sharma (J.E., MCL) respondent no. 4 then he said to the petitioner that “I will do like this and I shall not allow you or your any representative to do any work of your ward”. ”

2.3 Petitioner states that on account of aforesaid act and conduct of respondents No. 4 and 5, he (petitioner) had submitted a representation dated 08.05.2025 (Annexure P-1) to official respondents against

respondent No. 4, however, nothing was done. It is further alleged that on 12.05.2025, respondent No. 4 entered the office of the petitioner and started giving abusing in the presence of the respectables of the society, so as to spoil his reputation and to defame him and further threatened the petitioner to withdraw his representation dated 08.05.2025 (Annexure P-1).

2.4 In para-8 of the writ petition, petitioner further alleged as under :-

8. That apart from this, respondent no. 4 also gave copy of said complaint dated 08.05.2025 to his father respondent no. 5, which was given by the petitioner on the letter-head of petitioner, who made copy of afore-mentioned complaint public by going live on Facebook on 25.06.2025 and in said live video, Kamraj Sharma used objectionable words against the petitioner as well as his family members, which is a very serious matter that how confidential document can be made public when complaint is under enquiry.”

2.5 It is also alleged that respondent No. 4 had spoken abusive language on 25.06.2025 to the wife of the petitioner in a nearby park, where she goes for walk, in the presence of public and the petitioner is having video recording regarding the same in his possession. It is still further alleged that respondent No. 5 wants to get a false FIR registered against the petitioner, accordingly, petitioner submitted another representation on 26.06.2025 (Annexure P-2), however, no action has been taken. Accordingly, this petition has been filed before this Court.

3. Heard.

4. A perusal of the paperbook would show that apart from two representations stated to have been submitted by the petitioner, no other

material/document has been placed on record by the petitioner, so as to substantiate his assertions/allegations made in the writ petition.

5. In my considered view, the writ petition involves disputed questions of fact, which would require leading of evidence, which is not possible in these proceedings. Accordingly, the instant civil writ petition is dismissed. However, leaving it open to the petitioner to avail his other legal remedies, if so advised, in accordance with law.

6. Pending application (s), if any, shall also stand closed.

(HARSH BUNGER)
JUDGE

29.07.2025

sjks

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No