



CWP-25276-2025 (O&M)

-1-

167

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

**CWP-25276-2025 (O&M)
Date of Decision: 28.08.2025**

Parveen Kumar

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Aditya Dassaur, Advocate
for the petitioner.

HARSH BUNGER, J. (Oral)

This petition has been filed under Articles 226 and 227 of the Constitution of India *inter alia* seeking issuance of a writ in the nature of Mandamus to enforce the mandatory e-tendering procedure for public works in compliance of Government Notification dated 02.08.2018 (Annexure P-5).

1.1 A further prayer has been made for issuance of a writ in the nature of prohibition to prohibit execution of works by respondent No.5 through quotations in contravention of Government Notification dated 02.08.2018 (Annexure P-5).

1.2 Another prayer has been made for directing respondents No.1 to 4 to institute disciplinary/vigilance proceedings against respondent No.5 for dereliction of duties.

2. Briefly, the petitioner is stated to be a Municipal Councillor

**CWP-25276-2025 (O&M)****-2-**

from Ward No.8, Municipal Council Nawanshahr (SBS Nagar). Petitioner alleges that substantial municipal works relating to garbage dumping and other activities were awarded without calling for competitive bidding and in a non transparent manner and that the high value contracts have been allocated without recourse to the tendering process.

2.1 The petitioner alleges that the works have been allotted by the Executive Officer (respondent No.5) solely on the basis of quotations and that too at inflated rates.

2.2 It appears that the petitioner submitted a representation dated 28.03.2025 (Annexure P-2) to the Secretary, Department of Local Government, Punjab, whereupon the matter was entrusted to the Chief Vigilance Officer, who further marked the complaint to the Additional Deputy Commissioner (General), Nawanshahr, the relevant extract of which reads as under:-

“Regarding the above subject, Shri Parveen Kumar Bhatia has written a complaint stating that in the Nagar Council, Banga, fraud amounting to lakhs of rupees has been committed in the name of garbage dumping. This work was carried out by using quotations, whereas the government has strictly prohibited work through quotations. The complainant has sent the details of the work and demanded action to be taken.

According to the orders of the Director of Local Government, Punjab, dated 07.06.2025, the aforementioned complaint is being sent to you in its original form. You are requested to conduct an inquiry at your level and take appropriate action in accordance with the rules and regulations. The complainant should be directly informed of the action taken.”

2.3 It transpires that the Additional Deputy Commissioner concerned has further constituted a four member Committee to look into the

**CWP-25276-2025 (O&M)****-3-**

allegations made by the petitioner vide his letter dated 26.06.2025 (Annexure P-4), the relevant extract of which reads as under:-

“In reference to the above subject, a copy of letter no. CVO-2025/3264 dated 20.06.2025 from the office of the Chief Vigilance Officer, Local Government Department, Punjab Municipal Bhawan, Plot No. 03, Sector-35A, Chandigarh, is attached. It is hereby stated that to investigate the matter, a four-member committee is constituted as follows:

- 1. Mr. Harjinder Singh Sethi, Municipal Engineer, Nagar Councils, Shaheed Bhagat Singh Nagar.*
- 2. Mr. Charan Singh Bagga, A.M.E. Nagar Council, Nawanshahr.*
- 3. Mr. Ajay Pal, J.E. Nagar Council, Banga.*
- 4. Mr. Bharat Bhushan, Sanitary Inspector, Nagar Council, Banga.*

The four-member committee constituted as above is requested to send its self-explanatory report along with recommendations to this office.”

3. In the aforementioned circumstances the petitioner has filed the instant writ petition before this Court with a plea that the respondent authorities have persistently failed to investigate the complaints submitted by the petitioner.

4. Heard.

5. A perusal of the paper book would clearly indicate that the complaint submitted by the petitioner has already been forwarded to the Additional Deputy Commissioner concerned who has constituted a four member committee to look into the allegations made by the petitioner and in this view of the matter, it cannot be said at this stage that the complaints submitted by the petitioner are not being looked into.

6. At this stage, learned counsel for the petitioner has raised another plea that the Additional Deputy Commissioner concerned has

**CWP-25276-2025 (O&M)****-4-**

constituted a committee consisting of four members, who all are the officers of the Municipal Council itself and therefore, a fair investigation on their part is not expected.

7. I have considered the aforesaid submissions raised on behalf of the petitioner, however, I do not find any merit in the same. In the entire petition, there is no allegation against any of the four members of the committee as constituted by the Additional Deputy Commissioner. It appears that the present petition has been filed by the petitioner with some oblique motive so as to somehow browbeat the committee in proceeding in the matter as per the likes of the petitioner.

8. In this view of the matter, I find no merit in the instant writ petition and the same is accordingly, dismissed. However, it goes without saying that the four member committee constituted by the Additional Deputy Commissioner shall inquire into the matter, in accordance with law and the matter be taken to its logical end.

9. All pending application(s), if any, shall also stand closed.

28.08.2025*Himani***(HARSH BUNGER)
JUDGE**

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