



**CM-7636-LPA-2025 in/and
LPA-2913-2025** **1**

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

(106) **CM-7636-LPA-2025 in/and
LPA-2913-2025
Date of Decision : November 12, 2025**

Manoj Kumar **.. Appellant**
Versus

State of Haryana and others **.. Respondents**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Virender Kumar, Advocate, for the appellant.

Ms. Anu Pal, Addl. Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

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Present application has been filed for recalling the order dated 29.09.2025, by which, the present appeal was dismissed for non-prosecution.

Notice of the application to the counsel opposite.

Ms. Anu Pal, learned Addl. Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents. She raises no objection for the grant of prayer as raised in the present application.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the same is allowed. The order dated 29.09.2025 is recalled and the appeal is restored to its original number and status.

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1. Present appeal has been filed against the order dated 01.08.2025 passed by the learned Single Judge in CWP No.22061 of 2025



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wherein, the writ petition filed by the petitioner with regard to taking action against his wife so as to initiate disciplinary proceedings against her, has been dismissed on the ground that the appellant/petitioner lacks necessary locus standi to claim the said relief.

2. Learned counsel for the appellant submits that the wife, against whom the disciplinary proceedings have been sought, is making complaints against the appellant and once, the wife is making complaints against the appellant, the appellant is also entitled to make complaints against the wife. Hence, the learned Single Judge should have directed the authorities to decide his representation made against his wife for initiating the disciplinary proceedings.

3. We have heard learned counsel for the appellant and have gone through the record with his able assistance.

4. In the present case, it is a clear case of abuse of the judicial process. No third party outside the department can claim a right to demand that the Department should initiate the disciplinary proceedings against the employee concerned. The matter of disciplinary proceedings is between an employer and an employee and no third person has right to claim that direction should be issued to the department on the basis of his complaints to initiate disciplinary proceedings. The learned Single Judge has rightly dismissed the said petition as it is only an act of mudslinging at the hands of the appellant due to a matrimonial dispute with his wife.

5. Today again, we asked the learned counsel for the appellant as to what jurisdiction he has to claim that the department proceedings should



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be initiated against the wife though the dispute is between an employer and employee, learned counsel for the appellant has not been able to point out any jurisdiction based upon any Rule or law in the said context. That being so, the only effort of the appellant is to secure some order against the wife keeping in view the marital discord between him and his wife.

6. It is also pertinent to note that the wife has already initiated proceedings under Section 354-A of the Indian Penal Code which are pending against the appellant, and it is only to create evidence and as a matter of revenge, the present petition has been filed that too, when the appellant does not have any jurisdiction to file the writ petition to claim that the department should initiate disciplinary proceedings against the wife qua her discharge of duties with the respondent-State.

7. As the appellant failed to dislodge the findings recorded by the learned Single Judge, who rightly held that the proceedings were a total abuse of the process of law, the valuable time of this Court has also been wasted for the present appeal. Hence, the present appeal is dismissed.

**(HARSIMRAN SINGH SETHI)
JUDGE**

November 12, 2025
harsha

**(VIKAS SURI)
JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : No