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

CWP-PIL-300-2025

Date of decision: 11.12.2025

Chakshu Sharma

....Petitioner.

Versus

Union of India and others

....Respondents.

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY, JUDGE**

Present:- Mr. Ravi Badyal, Advocate,
for the petitioner.

Mr. Satya Pal Jain, Addl. Solicitor General of India
(through VC) Mr. Karanvir Singh Kathuria, Central
Government Counsel for respondent-UOI

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SHEEL NAGU, CHIEF JUSTICE (Oral)

The present petition essentially raises a service dispute, as is evident from the prayer clause of this petition. However, this petitions has been filed as Public Interest Litigation (PIL) as the petitioner has no personal grievance in regard to any service dispute.

2. It is well established, in view of decisions of the Apex Court in *Dr. Duryodhan Sahu vs. Jitendra Kumar*, (1998) 7 SCC 273; *Neetu vs. State of Punjab*, (2007) 10 SCC 614; *Dattaraj Nathuji Thaware vs. State of Maharashtra*, (2005) 1 SCC 590; and *Vishal Ashok Thorat and others vs. Rajesh Shripambapu and others*, (2020) 18 SCC 675, that PIL in service matters need not be entertained.



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3. However, at this juncture, learned counsel for the petitioner, relying upon the decision of the Apex Court dated 03.11.2023 rendered in ***Pratap Singh Bist vs. The Director, Directorate of Education, Govt. of NCT of Delhi & ors, (IA No. 218856/2023)*** (Annexure P-27), submits that the Apex Court has held the ratio laid down in ***Dr. Duryodhan Sahu (supra)*** to be debatable.

4. The mere mention of the ratio of ***Dr. Duryodhan Sahu (supra)*** being debatable does not denude the case of ***Dr. Duryodhan Sahu (supra)***, of its precedential value. Therefore, so long as the said verdict in the case of ***Dr. Duryodhan Sahu (supra)*** stands, this Court, under Article 141 of the Constitution of India, is obliged to rely upon the said decision.

5. This Court is bolstered in its view by further decision of the Apex Court in the case of ***Dattaraj Nathuji Thaware's case (supra)***. The relevant extract is reproduced hereunder for ready reference:-

*“11. As noted supra, a time has come to weed out the petitions, which though titled as public interest litigations are in essence something else. It is shocking to note that Courts are flooded with large number of so-called public interest litigations where even a minuscule percentage can legitimately be called as public interest litigations. Though the parameters of public interest litigation have been indicated by this Court in large number of cases, yet unmindful of the real intentions and objectives, Courts are entertaining such petitions and wasting valuable judicial time which, as noted above, could be otherwise utilized for disposal of genuine cases. Though in ***Dr. Duryodhan Sahu****



and Ors. v. Jitendra Kumar Mishra and Ors. 1998 (4) SCT 213 (SC), this Court held that in service matters PILs should not be entertained, the inflow of so-called PILs involving service matters continues unabated in the Courts and strangely are entertained. The least the High Courts could do is to throw them out on the basis of the said decision. The other interesting aspect is that in the PILs, official documents are being annexed without even indicating as to how the petitioner came to possess them. In one case, it was noticed that an interesting answer was given as to its possession. It was stated that a packet was lying on the road and when out of curiosity the petitioner opened it, he found copies of the official documents. Apart from the sinister manner, if any, of getting such copies, the real brain or force behind such cases would get exposed to find out the truth and motive behind the petition. Whenever such frivolous pleas, as noted, are taken to explain possession, the Court should do well not only to dismiss the petitions but also to impose exemplary costs. It would be desirable for the Courts to filter out the frivolous petitions and dismiss them with costs as afore-stated so that the message goes in the right direction that petitions filed with oblique motive do not have the approval of the Courts.”

6. Accordingly, this petition being PIL is declined to be entertained and is dismissed as such.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

11.12.2025

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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No