



**222 IN THE HIGH COURT OF PUNJAB AND HARYANA
(2 cases) AT CHANDIGARH**

LPA No.755 of 2017 (O&M)
Date of Decision: 01.04.2026

NIILM UNIVERSITY

.....Appellant

Versus

STATE OF HARYANA & OTHERS

.....Respondents

LPA No.786 of 2017 (O&M)

NIILM UNIVERSITY, KAITHAL

.....Appellant

Versus

STATE OF HARYANA & OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Madan Lal, Advocate
for the appellant.

Mr. Aman Mittal, DAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. By this common order, two appeals, the details of which have been given in the heading, are being disposed of as both the appeals involve the same question of law on similar facts. For the sake of convenience, facts have been taken from LPA-755-2017.

2. In the present appeal, the challenge is to the impugned judgment dated 18.04.2017 passed by the learned Single Judge, by which, the writ petitions bearing CWP Nos.7208 of 2015 and 7589 of 2016 filed by the appellant were dismissed.



3. Learned counsel appearing for the appellant has argued that the police conducted a preliminary inquiry at the petitioner-University but without giving any opportunity to explain or any copy of the complaint or duly prescribed Form VI as required by Rule 14 of the Haryana Lokayukta (Functions, Powers, Enquiry and Investigation) Rules, 2008. Learned counsel submits that the finding which has been recorded by the learned Single Judge is that a preliminary inquiry can be conducted by the police without associating the appellant-University whereas, the said inquiry was not the preliminary inquiry in the first place but it was mentioned as a detailed inquiry.

4. We have heard the learned counsel for the parties and have gone through the record with their able assistance.

5. On the basis of the record and after perusing the inquiry, a finding has been recorded by the learned Single Judge that the same was only the preliminary inquiry conducted for which, the University was not liable to be associated and it can be conducted only when the enquiry/investigation is conducted by the Lokayukta, the provisions of the Haryana Lokayukta Act, 2002 (for short, 'the 2002 Act') and the rule made therein envisaged that the copy of the complaint is to be forwarded to the University.

6. Learned counsel for the appellant has though argued that the proceeding was "an inquiry conducted" but, has not been able to rebut that the same was mentioned as a "preliminary inquiry" in the report itself. That being so, once it is actually depicted that a preliminary inquiry was conducted by the police, the claim that complaint should have been forwarded to the appellant-University and also that the University was not associated during the inquiry so as to ignore the same, has rightly been



rejected by the learned Single Judge.

7. Even otherwise, it may be noticed that the matter is still pending before the learned Lokayukta, so when any action is taken by the Lokayukta based upon the preliminary inquiry report, all the requirements of the 2002 Act and the rule framed therein will be complied with.

8. Qua the amount of scholarship which has been withheld by respondent No.3, the inquiry is being conducted by the learned Lokayukta now and the release of the amount will be subject to the final outcome of the inquiry.

9. Keeping in view the totality of circumstance as, the order passed by the learned Single Judge has not been shown to be perverse either on facts or law, no ground is made out to interfere. Hence, both the appeals are dismissed.

10. Miscellaneous application pending, if any, is also disposed of.

11. A photocopy of this order be placed on the file of the connected case.

(HARSIMRAN SINGH SETHI)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

01.04.2026
sandeep

Whether Speaking/Reasoned :	Yes
Whether Reportable :	No