



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-PIL-393-2025

Jagmohan Singh Bhatti Advocate

... Petitioner

Versus

The State of Punjab & others

... Respondents

Reserved on : 13th March, 2026

Pronounced on : 12th May, 2026

Uploaded on : 12th May, 2026

*Whether only operative part of the judgment is
pronounced or the full judgment is pronounced: full judgment*

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

Argued by: Petitioner in person.

Mr. Salil Sabhlok, Sr. Deputy Advocate General Punjab
for the respondent/State.

SHEEL NAGU, CHIEF JUSTICE

1. Petitioner, a practising lawyer of this Court, is seeking a writ of *quo warranto* to declare the office of respondents No.3 to 18 to be vacant on the grounds that the said respondents are functioning against the spirit and soul of the Constitution of India. A writ of mandamus is also sought to the Speaker of the Punjab Assembly for taking steps towards disqualification in light of the legal notice (Annexure P-1) dated 23.01.2025 and to restrain any financial benefits to be disbursed to the respondents No.3 to 18. A further direction has been sought to recover the amount used and spent for respondent No.21 by conducting an enquiry and to restrain respondent No.20 and other departments from going ahead with the sale of properties as

per Annexures P-3, P-6, P-7, P-8 and P-13.

2. The principal prayer in this petition is for issuance of a writ of *quo warranto* which can be successfully sought if a person holding any public office is found to be ineligible in terms of the Constitution, statutory provisions or any other professed norms or where such person does not possess the essential qualifications required to hold the said office.

3. We have gone through the entire petition but apart from alleging corrupt deeds and misdemeanours against respondents No.3 to 18, we have not been apprised of any deficiencies in the essential requisite eligibility to hold the office as held by respondents No.3 to 18.

4. We have already held in one of our earlier decisions where a similar writ of *quo warranto* was sought qua the office of Advocate General of the State of Haryana as well as Punjab. In the said case **CWP-PIL-141-2025** titled '*Pradeep Sigh Advocate vs. State of Haryana & others*', we have held that a writ of *quo warranto* cannot be sought by alleging inefficiency, corrupt deeds or misdemeanour against persons holding public office, unless it is established that the eligibility prerequisites for holding such a public office are wanting. The relevant extract of the said judgment is reproduced below:-

“8. As regards the allegations of impropriety or misdemeanour alleged against respondent No.2, the same cannot be examined while deciding the issue of issuance of a writ of quo warranto. The scope of such proceedings is confined strictly to the constitutional or statutory eligibility of the person holding a statutory or constitutional office. Alleged misdemeanour or impropriety in the discharge of professional functions prior to or subsequent to as Advocate General has no bearing on the maintainability or grant of a writ of quo warranto.”

5. In view of the above, since petitioner has failed to disclose any deficiency in the essential eligibility/qualification to hold the public office being held by respondents No.3 to 18, we do not see any reason to keep this petition pending.

6. Consequently, this petition stands dismissed.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

May 12, 2026
rps

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