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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-PIL-212-2026 (O&M)

Date of Decision: 10th August, 2026.

PRADEEP SINGH

.....Petitioner(s)

V/s

UNION OF INDIA AND OTHERS

.....Respondent(s)

CORAM: **HON'BLE THE ACTING CHIEF JUSTICE**
 HON'BLE MR. JUSTICE ROHIT KAPOOR

Present Mr. Jagmohan Singh Bhatti, Advocate,
 for the petitioner.

Mr. Satya Pal Jain, Addl. Solicitor General of India, with
Ms. Saigeeta Srivastava, Advocate,
for respondents No.1 & 2-UOI.

Mr. Chetan Mittal, Senior Advocate, assisted by
Mr. Ranjit Singh Kalra, Advocate,
Mr. Avichal Sharma, Advocate, and
Mr. Adhiraj Sood, Advocates
for respondent No.4-High Court.

Mr. Maninder Singh Garcha, Senior Advocate,
Addl. Advocate General, Punjab assisted by
Ms. Samdisha Kaur, AAG, Punjab.

ASHWANI KUMAR MISHRA, A.C.J. (Oral)

1. This PIL petition has been filed by Sh. Pradeep Singh with
the following prayers:-

- (i) Issuance of a writ of *mandamus* directing the
respondents No.1 and 2–Union of India to keep in abeyance
the recommendations made by the Punjab and Haryana
High Court as well as by Hon'ble the Supreme Court, and

further to recall the recommendation pertaining to private respondent No. 8, Shri Pravindra Chauhan, for his appointment as a Judge of the Punjab and Haryana High Court; and

(ii) To direct respondent No.4-Punjab and Haryana High Court, not to execute the warrant of appointment of respondent No.8 for administering Oath as a Judge of this High Court.

2. At the very outset, an objection is raised by the respondents with regard to maintainability of the present PIL petition, on the ground that the same has been filed as an act of vengeance against private respondent No.8, whose name has been recommended for appointment to the post of Judge of this Court.

3. It has been pointed out that the petitioner had earlier filed a PIL petition, bearing No. *CWP-PIL-141-2025*, seeking issuance of Writ in the nature of *quo warranto*, challenging the appointment of private respondent No.8 as an Advocate General, Haryana, which was dismissed by this Court vide order dated 21.01.2026. It is further pointed that in the previous round of litigation, the petitioner has stated as under:-

“7) On Dated: 09-14/11/2023, Vigilance Department, W/Chief Secretary's (CS's) Office/Government of Haryana (GoH), Chandigarh (UT) requests & directs the W/Additional Chief Secretary (ACS), Energy Department (ED)/Government of Haryana (GoH) to enquire/investigate into & submit the subsequent Legal Action Taken Report (ATR) As Per (the) Law,

Rules & Regulations into this serious corruption/scam/scandal of illegally purchased Sports Utility Vehicles (SUVs) car(s) in the Haryana Electricity Regulatory Commission (HERC), Panchkula [by all (the) concerned entity(s) involved into it] but deliberately kept pending till date with No Legal Action taken/executed on it rather deliberate discreet silence kept/maintained till date as if this criminal complaint deliberately been closed/filed by (all) the concerned (involved) for the reason(s) best known to himself/themselves.

*** Crux of This Criminal Case *:**

The HERC, Panchkula (Hry.) illegally bought/purchased Sports Utility Vehicles (SUVs) car(s) at costlier price(s)/rate(s) beyond their legal entitlement after/by manually collecting the Quotation(s) from tricity Toyota Car Dealers)/Vendor(s) deliberately in contravention violating the Central (open) Government/State Government strict (compliance) instruction(s) of mandatory eProcurement via only the GEM Portal & eBidding/e Tendering by DSSD for complying, ensuring & maintaining transparency in every procurement by deliberately dropping/rejecting the lowest quotation(s) offered & submitted by the Toyota Kirloskar Motors (TKM) Ltd. & same deliberately been removed, stolen & destroyed by all (the) concerned beneficiary(s) involved in order to conceal & destroy all (the) evidence(s) (available) against them. Due to this reason the HERC, Panchkula (Hry.) intentionally harassed me by deliberately delaying/denying/rejecting and concealing an incriminating information (sought under The RTI, 2005 which later on were procured after winning a long Legal Battle) pertaining to (the) exposure of three (3) No(s). of illegally purchased SUV(s) car(s)/vehicle(s) manually beyond their official entitlement in year 2019 violating rule(s) & further without mandatory usage of GeM portal through e-Bidding/e-Tendering procedure(s) as per (the) state government

guideline(s) & instruction(s) procured the said high valued items. “

4. It is, therefore, submitted by the learned counsel for the respondents that the present PIL petition has since been filed by the petitioner with an intent to settle a personal score. As such, this Court need not entertain such petitions, as it would amount to an abuse of the process of law. Reliance is placed upon the judgement of the Hon'ble Supreme Court in **State of Uttaranchal Vs. Balwant Singh Chaufal and Others** ; (2010) 3 SCC 402, wherein the Apex Court has expressed words of caution for the purposes of entertainment of the PIL petitions at the instance of unscrupulous litigants.

5. It has also been suggested at the Bar on behalf of the respondents that the petitioner was an employee of the Haryana Electricity Regulatory Commission and certain proceedings were initiated against him, which ultimately led to his discharge from service. The private respondent No. 8, at that stage, was a Judicial Member of the said Commission. It is, therefore, submitted that the filing of the present PIL petition is with an intent to settle a personal score by the petitioner against private respondent No.8 and therefore, the instant PIL petition, being an abuse of the process of law, is liable to be dismissed.

6. Learned counsel for the petitioner has been confronted with the assertions made at Page 36 of the previous petition, which have been reproduced hereinbefore. We have also specifically enquired from the

petitioner as to how he seeks to justify his credentials for entertaining the present PIL petition.

7. In response to it, learned counsel for the petitioner has referred to Para 1 mentioned at Page No. 39 of instant PIL petition, which reads as under:-

“1) That the petitioner is a citizen of India and is invoking the extraordinary writ jurisdiction of this Hon’ble High Court in the terms as prayed and the purpose of public law is to discipline the exercise of power. Judicial review is the means of achieving that objective. The citizens are entitled to resist unlawful actions as a matter of right and to live under the rule of law and not of discretion. It is not out of place to mention that the petitioner challenged the appointment of the respondent No.8 as Advocate General (AG) of Haryana and multiple points raised not dealt with and the appropriate application is being submitted in that case.”

8. It is also submitted that notwithstanding the earlier proceedings initiated against the petitioner at the instance of private respondent No.8, there would be no bar in entertaining the present PIL petition, whereby allegations are made by him against the private respondent No.8 suggesting that he is not fit to be appointed to the high Constitutional Office of a Judge.

9. Learned counsel for petitioner has also referred to certain literature from the book of Lord Denning, and some speeches of Winston Churchill, to state that the Public Office must not be allowed to be

occupied by persons of doubtful credentials and therefore, the petitioner is right in raising a grievance against the private respondent No.8.

10. Learned counsel for the petitioner has also referred to and relied upon the judgement dated 30.01.2026 of the Hon'ble Supreme Court in **Captain Pramod Kumar Bajaj Vs. Union of India and Another** rendered in *Writ Petition (Civil) No. 1180-2025*, wherein the Court has made the following observations: -

***"44.** The rule of law constitutes the foundation of a well-governed society, and the shadow of bias or mala fides in the exercise of power concerning public functions strikes at the very root of a regulated social order. The law relating to mala fide exercise of power has been the subject matter of discussion in a catena of decisions of this Court.¹³ It has been consistently held that where statutory or administrative power is exercised for purposes extraneous to those for which it is conferred, or is influenced by irrelevant considerations, or is actuated by malice in law, such exercise cannot be sustained. Judicial review in such circumstances is directed not merely at the decision but at the decision-making process itself."*

11. Reliance was also placed on the judgement of the Hon'ble Supreme Court in **State of Haryana and Others Vs. Chaudhary Bhajan Lal and others**: 1992 AIR 604.

12. We have heard learned counsel for the petitioner at some length, and have examined the materials brought on record.

13. At the very outset, it may be noted that the filing of an earlier PIL petition by the same petitioner, in which issuance of a writ of *quo*

warranto is sought to challenge the appointment of private respondent No.8 as Advocate General, and its dismissal by this Court, is not disputed by learned counsel for the petitioner. What is urged is that an application for recall is intended to be filed against the said dismissal order. The factual assertions made in the previous PIL petition, wherein the petitioner had alleged harassment at the hands of private respondent No.8 during his employment with the Haryana Electricity Regulatory Commission, are also not in dispute.

14. During the course of hearing, we sought to impress upon learned counsel for the petitioner that a PIL petition challenging an appointment to a high Constitutional Office must be instituted by a person whose credentials are beyond question. Accordingly, whether such a petition ought to be pursued, requires careful deliberation.

15. Learned counsel for the petitioner, however, insists that notwithstanding the observations of the Court, this Court as a Constitutional Court, must decide the questions urged at the Bar at the instance of the present petitioner.

16. We may note that where the challenge is laid to the appointment to a high Constitutional Office, the exercise of jurisdiction by the Writ Court must be based on appreciation of facts which have been placed on record. It cannot be at the mere asking of the petitioner that the process of such appointment needs to be questioned or examined by this Court. It is a well-known fact that the process of

appointment of a High Court Judge is initiated by the Collegium of the High Court, consisting of the Chief Justice and two Senior Judges, whereafter the proposal is sent to the State Government where various inputs are provided by intelligence agencies. Thereafter, recommendation is made by the State Government in the matter. The proposal is then taken to the Ministry of Law and Justice, where once again, intelligence inputs are collected and with the appropriate reports etc., obtained from all relevant quarters, the matter is placed before the Collegium of the Hon'ble Supreme Court, which consists of Chief Justice of India and two senior-most Judges of the Supreme Court. The process itself is exhaustive, and it would not be open to ordinarily question the recommendations made therein, particularly when the challenge is laid by a person who approaches the Court with a personal axe to grind.

17. In *Balwant Singh Chauhal (Supra)*, Hon'ble the Supreme Court has made the following observations:-

"198. *In order to preserve the purity and sanctity of the PIL, it has become imperative to issue the following directions :*

(1) The courts must encourage genuine and bona fide PIL and effectively discourage and curb the PIL filed for extraneous considerations.

(2) Instead of every individual judge devising his own procedure for dealing with the public interest litigation, it would be appropriate for each High Court to properly formulate rules for encouraging the genuine PIL and discouraging the PIL filed with oblique motives. Consequently, we request that the High Courts who have not yet framed the rules, should frame the rules within

three months. The Registrar General of each High Court is directed to ensure that a copy of the Rules prepared by the High Court is sent to the Secretary General of this court immediately thereafter.

(3) The courts should prima facie verify the credentials of the petitioner before entertaining a P.I.L.

(4) The court should be prima facie satisfied regarding the correctness of the contents of the petition before entertaining a PIL.

(5) The court should be fully satisfied that substantial public interest is involved before entertaining the petition.

(6) The court should ensure that the petition which involves larger public interest, gravity and urgency must be given priority over other petitions.

(7) The courts before entertaining the PIL should ensure that the PIL is aimed at redressal of genuine public harm or public injury. The court should also ensure that there is no personal gain, private motive or oblique motive behind filing the public interest litigation.

(8) The court should also ensure that the petitions filed by busybodies for extraneous and ulterior motives must be discouraged by imposing exemplary costs or by adopting similar novel methods to curb frivolous petitions and the petitions filed for extraneous considerations.”

18. It is well settled that a PIL petition would not be entertained at the instance of a person who has approached the Court with an intent to settle his personal scores. The PIL petition was supposed to be a “tool” for the redressal of legitimate grievances of the public at large, and such

proceedings cannot be allowed to be invoked for extraneous reasons by unscrupulous persons. It is not in dispute that the present petitioner was an employee of the Haryana Electricity Regulatory Commission, when the private respondent No.8 was a Member Judicial of the same Commission. Some proceedings were initiated against the petitioner which resulted in an order of discharge being passed against him. It is, therefore, quite obvious that petitioner has personal grievances against the private respondent No.8. This is also reflected from the fact that apart from filing PIL petitions against the private respondent No.8, there is no other PIL petition filed by him, as no such petition has been brought to our notice. The filing of successive PIL petitions, firstly for *quo warranto* and then the instant PIL petition by someone who has a grudge and grievance against private respondent No.8, would not be entertained. Such attempts must be thwarted at very outset.

19. We also find that both the judgements referred to by the learned counsel for the petitioner in the case of Captain Pramod Kumar Bajaj (Supra) as well Chaudhary Bhajan Lal and others (Supra), have absolutely no applicability in the facts of the present case. The first case, in *Captain Pramod Kumar Bajaj (Supra)* laid down a proposition which can hardly be questioned. However, whether this proposition has any applicability on facts, would require consideration. We do not find that in the peculiar facts of the present case as have been noticed above, the quoted text relied upon by the petitioner would have any applicability.

20. So far as the judgment in the *State of Haryana and others Vs. Chaudhary Bhajan Lal and others (Supra)* is concerned, learned counsel for the petitioner does not refer to any particular passage from the judgement, but relies upon the head note of the said judgment published in Indian Kanoon.

21. We note with utmost disapproval that such manner of citation cannot be countenanced.

22. In view of the position explained hereinabove, we find that this PIL petition is not instituted in genuine public interest and is, therefore, **dismissed** with costs assessed @ ₹1,00,000/- to be deposited in the Poor Patient Welfare Fund, PGIMER, Chandigarh.

23. Pending application(s), if any, shall stand disposed of accordingly.

**[ASHWANI KUMAR MISHRA]
ACTING CHIEF JUSTICE**

**[ROHIT KAPOOR]
JUDGE**

August 10, 2026

Ess Kay

<i>Whether speaking / reasoned</i>	:	Yes	/	No
<i>Whether Reportable</i>	:	Yes	/	No