

Specimen Form of a Writ Petition

In the High Court of..... at.....

Civil Original (Extra-ordinary) Jurisdiction

Civil Writ Petition No..... of 200...

In the matter of:

JKL S/o..... R/o..... former employee (Inspector Grade-I) in the Respondent-Company.

...Petitioner

1. XYZ Company Ltd., a company wholly owned by the Govt. of India and having its registered office at..... through its Chairman.
2. Managing Director of the above Company

...Respondent

Civil Writ Petition against the order dated..... passed by the Managing Director, respondent No. 2 herein, by which the services of the petitioner as an employee of the respondent-company have been terminated.

May it please the Hon'ble Chief Justice of the High Court of..... and His Lordship's companion Judges.

The Petitioner

MOST RESPECTFULLY SHOWETH:

1. That the petitioner is a citizen of India and is therefore entitled to enjoy all the rights guaranteed by the Constitution of India.
2. That respondent No. 1 is a company registered under the Companies Act, 1956 having its registered office at.....
The respondent-company is wholly owned by the Government of India and is, thus, an instrumentality of state is given in Annexure 12 of the Constitution.
3. That the petitioner was an employee of the respondent-company, having been appointed as a Sub-Inspector Grade-I on..... 1991 and he continued to work, earning one promotion also.
4. That on..... 20..... respondent No. 2 herein abruptly issued the impugned order dated..... terminating the services of the petitioner and the petitioner came to be relieved of his duties the same day. A copy of the impugned order is annexed hereto and marked as *ANNEXURE-1*.
5. That on a bare reading of the impugned order it becomes clear that the order has been issued on the basis of some alleged misconduct on the part of petitioner, but no inquiry under the relevant rules has been held before the passing of the order.
6. That the petitioner has not committed any act that could be termed to be an act constituting misconduct.
7. The impugned order is being assailed on the following, amongst other,

GROUND S

- 7.1 That the petitioner being a permanent employee of the respondent-company his services could not be terminating without holding an enquiry under the rules applicable to the employees of the company.

- 7.2 That the principles of natural justice have been contravened by the respondents in not giving to the petitioner any opportunity of being heard.
- 7.3 That the impugned order is otherwise also erroneous and unsustainable, as it does not contain any reason and is a non-speaking order.
- 7.4 That the impugned order is arbitrary and contravenes Article 14 of the Constitution.
- 7.5
- 7.6
- 8. That the petitioner has not filed any petitioner other proceedings relating to the matter at this petition in any other court.

PRAYER

In the facts and circumstances stated above the petitioner prays that a direction in the form of a writ of *quo warranto* and *mandamus* or any other appropriate writ be issued quashing the impugned order and reinstating the petitioner in service with all consequential benefits including back wages.

It is further prayed that the respondent be burdened with costs.

PETITIONER

THROUGH

COUNSEL

DATED.....

MR.....