

Affidavit for Writ of Quo Warranto under Article 226 of the Constitution to be filed in High Court.

**IN THE HIGH COURT OF DELHI AT NEW DELHI
ORIGINAL CIVIL JURISDICTION
WRIT PETITION (CIVIL) NO. OF 20__**

IN THE MATTER OF:

.....Petitioner

VERSUS

MUNICIPAL CORPORATION & ORS

.....respondent

AFFIDAVIT

I, _____, Son of _____, aged about _____, Occupation _____, residing at _____, do hereby solemnly affirm and state as follows:

1. I state that I was initially appointed as _____ in _____ during the year _____, and by virtue of such employment, I am governed by all rules, service conditions, entitlements, and benefits applicable to employees of _____. However, in the year _____, _____ was transferred to _____, though neither I nor our Union ever consented to such a transfer of undertaking. Although the Corporation had required me to sign an agreement opting into the rules and regulations of _____, I never executed any such agreement, as I was not inclined to accept those terms.
2. Consequently, my service remains governed by the regulations and conditions of employment applicable to the employees of _____.
3. I further submit that while performing my duties as Assistant Engineer at _____, on _____, I conducted a night inspection of a shelter constructed for homeless persons at _____ and raised objections about the use of substandard materials. When I pointed out these irregularities, the contractor threatened me, stating that he would ensure my removal from the department. I immediately reported this incident to senior management.

4. To my shock, I was served with an order of suspension dated _____, issued by the respondent along with a charge memorandum dated _____, vide proceedings No. _____, alleging that I had demanded a bribe from the contractor.
5. The suspension order was issued without affording me any opportunity to be heard or to present my explanation.
6. I submit that the impugned suspension order dated _____ and the charge memo dated _____ are wholly unsustainable for the following reasons, among others:

i. The respondent lacks the authority and competence to initiate the impugned action, rendering the proceedings without jurisdiction.

ii. The respondent has violated the principles of natural justice by denying me an opportunity to be heard.

In view of the above circumstances, I am left with no other efficacious alternative remedy except to invoke the extraordinary jurisdiction of this Hon'ble Court under Article 226 of the Constitution of India.

1. I further affirm that no suit, writ, or appeal concerning the subject matter of the present writ petition has been filed by me either before this Hon'ble Court or before any other court or tribunal.
2. I have read and understood the contents of the Writ Petition, including the accompanying synopsis and list of dates from pages ____ to ____, the Writ Petition from pages ____ to ____, paragraphs ____ to ____, the grounds from ____ to ____, and all annexed applications. I state that the facts contained therein are true and correct to the best of my knowledge and belief. I also affirm that the annexures filed with the Writ Petition are true copies of their respective originals.
3. In these circumstances, it is just, necessary, and in the interest of justice that this Hon'ble Court be pleased to:
 - a. Issue a Writ of Quo Warranto or any other suitable writ, order, or direction, calling for the records relating to Proceedings No. _____ dated _____ issued by the respondent, and quash the same as arbitrary, illegal, and unconstitutional;
 - b. Stay the operation of Proceedings No. _____ dated _____ pending the disposal of this writ petition;and pass such other and further orders as this Hon'ble Court may consider appropriate in the interests of justice, failing which I shall suffer irreparable harm, loss, and hardship.

DEPONENT

VERIFICATION

Verified at New Delhi on this _____ day of _____, 20____, that the statements made herein are true and correct to my knowledge and belief. No part of it is false, and nothing material has been concealed.

DEPONENT