

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP No.12641 of 2015
Date of decision: 06.07.2015.**

Surender Kumar

..Petitioner

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see judgment? Yes/No**
- 2. To be referred to reporters or not? Yes/No**
- 3. Whether the judgment should be reported in the Digest? Yes/No**

Present: Mr. Sunil K. Nehra, Advocate and
Mr. Chander Pal Tiwana, Advocate
for the petitioner.

Daya Chaudhary, J. (Oral)

The present writ petition has been filed for issuance of a writ in the nature of certiorari for quashing of impugned show cause notice dated 02.03.2015 (Annexure P-2).

Learned counsel for the petitioner submits that in response to show cause notice, the petitioner has already submitted reply and under similar circumstances, some persons approached this Court by way of filing many writ petitions, i.e., CWP No.4729 of 2015 and other connected matters and the same came up for hearing before this Court and all those writ petitions were allowed on 13.05.2015. Learned counsel further submits that those writ petitions

were also filed after issuing show cause notice and liberty was given to the respondents to pass fresh order after affording proper opportunity of hearing. Learned counsel also submits that the case of the petitioner is squarely covered by the aforesaid decision.

Notice of motion.

On the asking of the Court, notice on behalf of the State has been accepted by Mr. Harish Rathee, Sr. D.A.G., Haryana.

Learned State counsel has not disputed regarding passing of order dated 13.05.2015 in CWP No.4729 of 2015.

Accordingly, this writ petition is allowed and impugned show cause notice (Annexure P-2) is hereby set aside. However, the respondent-authority is at liberty to proceed further and pass fresh order after affording proper opportunity of hearing as per law. In case, any inquiry has been conducted, the inquiry report be made available before giving any fresh show cause notice.

It is also made clear that in case, any adverse order has already passed, the petitioner is at liberty to avail the appropriate remedy.

06.07.2015
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(DAYA CHAUDHARY)
JUDGE