

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

CWP No. 1381 of 2014(O&M)

Date of decision : 31.03.2015

Ram Rattan

..... Petitioner

versus

Director, Treasury and Account

Department, Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Amit Jaiswal, Advocate for the petitioner.

Mr.Ashok Singh Chaudhary, Addl.AG, Haryana.

Mr.Sanjeev Sharma, Advocate for respondent No.2.

None for respondent No.3.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

Reply filed on behalf of respondent No.2 and the same is taken on record. Copies supplied to the counsel opposite.

By this writ petition the petitioner has challenged the action of respondent No.2 in not permitting him to take SAS Part II Examination. It is not disputed that by way of interim order the petitioner was allowed to take the examination.

The argument of learned counsel for the petitioner is that

there is no rule which bars a person who is facing an inquiry from taking the SAS examination. Learned counsel for the respondents are not in a position to cite any rule which may bar a person from taking the SAS examination during the pendency of an inquiry.

In the reply filed by respondent No.2 the only averment made is that the petitioner was not granted permission because an inquiry was pending against him. However, even in this reply no rule has been mentioned under which a person can be barred from taking SAS examination because of pendency of inquiry.

Resultantly this petition has to be allowed and the same is allowed and the interim order dated 06.02.2014 is made absolute. Since the petitioner has already taken the examination, respondents No. 1 and 4 are directed to declare his result.

Since the main case has been decided, the Civil Misc. Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

March 31, 2015
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