

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

CWP No.17882 of 2015

Date of Decision :27.8.2015

Ramesh Chand Sharma

....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present: Mr.Naresh Kaushik, Advocate
for the petitioner.

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MAHESH GROVER.J.

The petitioner impugns his dismissal order which was passed after due inquiry holding the petitioner guilty of the charges of tampering with the record and forgery. Annexure P-1 is the order proving the charges against the petitioner leading to his dismissal, against which an appeal was preferred which was also dismissed.

Learned counsel for the petitioner contends that he has been acquitted in criminal proceedings and therefore this would automatically lead to the collapse of the disciplinary proceedings against him.

I am afraid such a plea cannot be accepted. Even if the criminal court acquits the petitioner of the charges against him,

the department is at liberty to proceed against him departmentally for the misconduct and arrive at an independent conclusion. The petitioner could have very well pointed out in the petition the violation of any process leading to the dismissal order but no such plea has been raised before this court. The court also notices that the petitioner was an adhoc employee. Consequently, taking into consideration the aforesaid when no violation of any process has been indicated or arguments raised in this regard, and finding that the department was very well within its right to proceed against the petitioner in the proceedings, I would find no reason to interfere with the impugned order.

Petition dismissed.

27.8.2015
dss

(MAHESH GROVER)
JUDGE