

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

CWP No.22906 of 2015

Date of Decision: 29.10.2015

Parma Nand

... Petitioner

Versus

State of Punjab & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Balbir Singh Sewak, Advocate,
for the petitioner.

1. To be referred to the Reporters or not? .
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

This petition has been filed challenging an order of suspension from service passed on October 6, 2015. The impugned order is based on the reason that there is a complaint against the petitioner. The petitioner has not made a request/representation to an officer senior to the District Education Officer (E.E.), Shaheed Bhagat Singh Nagar, to redress his grievance against the suspension order nor has he asked for review of the order from the same officer on the grounds that there is no genuine reason to support the suspension.

Mr. Sewak submits that even the inquiry ordered vide Annexure P-9 on the complaint was neither completed nor its final result waited before the impugned suspension order was passed all of a sudden.

In view of this factual position, the only direction which the writ Court can issue for the present to the respondents is to the decision maker amongst the respondents to treat this petition as a representation

and to take a decision on the same of the grievance of the petitioner that the punishment order is actually working as a punishment and for no bona fide or valid reason whatsoever.

Without expressing any opinion on the merits of the case, a direction is issued to the authority competent to hear the petitioner and take a decision on his grouse within two weeks and pass the order whether suspension deserves to be revoked or not. In making the order, personal hearing be afforded to the petitioner in consonance with the principles of natural justice. In case, the complaint against the petitioner is found false, the order of suspension may be revoked without passing any self explanatory order. However, if an adverse order is contemplated or the suspension is to be continued for good and sufficient reason then a speaking order be passed disclosing the reasons why the continued suspension is justified.

With the above directions, the petition stands disposed of.

(RAJIV NARAIN RAINA)
JUDGE

29.10.2015
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