

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

**CWP No.3631 of 2015
Decided on : 03.11.2015**

Sant Singh Gill

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. P.K. Garg, Advocate
for the petitioner.

Mr. H.S. Sethi, Addl. AG, Punjab.

G.S. Sandhawalia , J. (Oral)

In the present case, the petitioner seeks the quashing of the impugned charge-sheet dated 28.11.2013 (Annexure P-3), which is on account of the violation of the instructions dated 16.03.2001 (Annexure P-7).

It is not disputed that the petitioner was the incharge Inspector at Sunam Centre, District Sangrur in October 2008 whereby the paddy was stored in the shellers situated at Khadial Centre, instead of sending it to the procurement centre. Due to that account, the petitioner has been charge-sheeted during his service tenure.

He had objected to the Inquiry Officer appointed and the Inquiry Officer had also made a request to change him due to excessive work load. The fresh Inquiry Officer, namely, Shri H.S.

Mokha, Deputy Director (Field), Ropar was accordingly appointed. The petitioner had been given extension in service and it was not reviewed on account of the charge-sheet and the report of the Inquiry Officer is still awaited. The factual aspect as thus is to yet crystallize before the Inquiry Officer regarding his irresponsibility and the report is yet to come. It is always open to the authorities to take action against its employees, if there is any negligence on their part in regard to the conduct of their duties. Even otherwise the report may come in his favour. The petition at this stage is totally premature and is not maintainable and the same is accordingly dismissed.

It is always open to the petitioner to raise his pleas before the punishing authorities on the conclusion of enquiry proceedings, if the same are adverse to him.

NOVEMBER 03, 2015

Naveen

**(G.S. SANDHAWALIA)
JUDGE**