

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

CWP No.10084 of 2015 (O&M)

Date of decision: 02.09.2016

Khushwinder Singh Bawa

....Petitioner

versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Prateek Pandit, Advocate for the applicant/petitioner.

None for respondent No.1.

Mr. Sehaj Bir Singh, Advocate for

Ms. Diya Sodhi, Advocate for respondent Nos.2 to 4.

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DEEPAK SIBAL, J. (Oral)

The petitioner had approached this Court seeking quashing of the letters dated 25.03.2015 (Annexure P-5) and 07.04.2015 (Annexure P-7) whereby respondent No.3 has been appointed as Enquiry Officer to hold a departmental enquiry against the petitioner in the chargesheets pending against him. The appointment of respondent No.3 was challenged on the ground that it contravened the instructions of the Government of Punjab dated 11.06.2001 and 31.08.1981. The petitioner has further prayed for replacing the Presenting officer (respondent No.4) on the ground that he is also a prosecution witness in the departmental enquiry pending against him.

The respondents through an application for vacation of stay, which had been granted earlier, have submitted that the afore-referred instructions relied upon by the petitioners have been

superseded by later instructions dated 26.07.2001 and in view of these instructions, the appointment of respondent No.3 as enquiry officer was perfectly valid.

In view of the above, learned counsel for the petitioner seeks withdrawal of the present petition at this stage.

Permitted to do so.

So far as the second prayer by the petitioner to challenge the appointment of the Presenting Officer is concerned, the same is not pressed.

(DEEPAK SIBAL)
JUDGE

02.09.2016

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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No