

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

CWP No.13819 of 2016 (O&M)

Date of decision:15.07.2016

Balwan Singh

.. Petitioner

Vs.

Haryana Dairy Development Cooperative Federation Ltd. & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Sandeep Singal, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

The instant writ petition is directed against the show cause notice dated 18.06.2016 (Annexure P-4) in terms of which the respondent/authorities are proposing to withdraw the regularization of the petitioner dated 28.04.2016.

Counsel for the petitioner would argue that the proposed action cannot sustain as it would be in violation of the observations made by this Court in order and judgment dated 18.12.2015 (Annexure P-2) while deciding CWP No.16305 of 1995 (Haryana Dairy Development Cooperative Federation Limited versus The Presiding Officer, Industrial Tribunal-cum-Labour Court, Rohtak & another).

Be that as it may, there would be no reason as to why the petitioner should not respond to the show cause notice dated 18.06.2016 and bring to the notice of the respondent/authorities and the author of the show cause notice, the judgment dated 18.12.2015 (Annexure P-2) upon which reliance is being placed before the writ Court.

A writ petition against the show cause notice is clearly

premature since as of date no final order and view as regards regularization has been taken. It is only a proposed action and for which a show cause notice has been issued and opportunity has been granted to the petitioner to submit a reply.

Under such circumstances, the present writ petition is disposed of as not maintainable and premature.

Keeping in view the statement made by counsel for the petitioner that till date no final order has been passed, liberty is granted to the petitioner to submit his detailed and comprehensive reply to the show cause notice dated 18.06.2016 (Annexure P-4) within a period of one week from today and it would be obligatory upon the respondent/authorities to consider the same prior to passing a final order.

Disposed of.

15.07.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**