

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

**CWP No.15048 of 2016
Date of decision: 28.07.2016**

Kuldeep Kaur and others **..Petitioners**

Versus

State of Punjab and others **..Respondents**

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Ms. Alka Chatrath, Advocate for the petitioners.

Daya Chaudhary, J. (Oral)

The present writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the action of respondent No.2 in issuing show cause notice dated 30.06.2016/05.07.2016 (Annexure P-10) to petitioner No.1 and other similar notices issued to other petitioners.

Learned counsel for the petitioners submits that it is apparent from the show cause notices issued to the petitioners that the respondent-authority has already made up his mind to terminate the services of the petitioners without considering their reply filed within the stipulated time whereas the petitioners are confirmed employees and are working since 2009. Learned counsel for the petitioners also submits that the case of the petitioners is squarely covered by decision passed by this Court in ***CWP No.7646 of 2010*** titled as ***Rajwansh Kaur vs. State of Punjab and others*** decided on ***30.05.2016*** and other connected matters wherein show cause notices were set-aside.

Heard arguments of learned counsel for the petitioners and have also perused the impugned show cause notices and other documents

available on the file.

As per show cause notices issued to the petitioners, a period of 21 days was given to the petitioners to file reply to the show cause notices, which has already been submitted. No adverse order has been passed so far. The present writ petition has been filed only on the basis of apprehension that the petitioners are going to be terminated.

Simply by having apprehension that the petitioners are going to be terminated, no direction can be issued at this stage as the respondents-authorities have to apply their mind after considering the reply submitted by the petitioners while passing the order.

Accordingly, the present writ petition is disposed of with a direction to respondent No.2 to take action in accordance with law after considering the reply submitted by the petitioners and the judgment passed by this Court in CWP No.7646 of 2010.

In case, there is any force in the replies submitted by the petitioners, the show cause notices issued to the petitioners be withdrawn and in case, any adverse order is passed against the petitioners, the reasons should be mentioned.

In case, any opportunity of hearing is required to be given to the petitioners, the same be also given to them.

However, it is also made clear that the petitioners be not terminated till any adverse order is passed.

28.07.2016
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

√
Yes/No

Whether reportable

√
Yes/No