

**Sr. No.136
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP No.15982 of 2016(O&M)
Date of Decision: 08.08.2016**

R.K.Bhoria

... Petitioner

Versus

State of Haryana and another

... Respondents

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

Present:- Mr. Ivneet Singh Pabla, Advocate,
for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

The petitioner who is serving as an Executive Engineer under the Irrigation and Water Resources Department has filed the instant petition praying for an issuance of a writ of certiorari for quashing the order dated 23.12.2014 (Annexure P-1) whereby he was placed under suspension.

The entire case made out by learned counsel appearing for the petitioner is that earlier in point of time charge-sheet has been issued to the petitioner and he had also been placed under suspension on 11.03.2013. Subsequently, he was reinstated on 31.12.2013. It is argued that without there being any departmental inquiry pertaining to the current suspension period, the same has not been revoked and as such petitioner is vested with the right to be reinstated in service.

Counsel for the petitioner has been heard at length.

During the course of hearing, a representation dated 14.06.2016 that has been preferred by the petitioner to the Principal Secretary to Government of Haryana, Irrigation and Water Resource Department, Chandigarh and placed on record at Annexure P-2 was perused. Certain

facts emanate and emerge from such representation i.e. a charge-sheet having been issued on 18.12.2012 and thereafter yet another charge-sheet having been issued on 20.08.2014. Clearly, the second charge-sheet i.e. 20.08.2014 has been served upon the petitioner after the revocation of the first suspension order i.e. on 31.12.2013.

Counsel upon instructions from the petitioner who is present in Court states that the inquiry proceedings till date have not been finalized.

Under such circumstances, this Court would not be inclined to interfere in a suspension order. Even otherwise suspension is not a punishment. Be that as it may, it is obligatory upon the respondent authorities to conclude and finalize the departmental proceedings initiated against the petitioner within a reasonable time frame.

The facts and circumstances of the case prima facie reveal that departmental proceedings initiated against the petitioner in the light of two separate charge sheets i.e. 18.12.2012 and 20.08.2014 have not been concluded till date.

Accordingly while declining to interfere in the impugned suspension order, the petition is disposed of with a direction to the respondent authorities/competent authority to finalize the departmental proceedings initiated against the petitioner expeditiously and in any case within a period of 06 months from today.

Disposed of.

08.08.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No