

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

**CWP No. 23951 of 2013 (O&M)
Date of Decision: 23.08.2016**

1) **Satpal Singh**

.... Petitioner(s).

Versus

Hindustan Insecticides Ltd. and another

....Respondent(s).

**COCN No. 1471 of 2014
Date of Decision: 23.08.2016**

2) **Satpal Singh**

.... Petitioner(s).

Versus

Vijay Awte and another

....Respondent(s).

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Aman Priye Jain, Advocate for the petitioner.

Mr. Vipin Mahajan, Advocate for the respondents.

P.B. BAJANTHRI, J. (Oral)

Learned counsel for the respondents submitted that impugned charge-sheet dated 01.07.2013, Annexure P-14 has been withdrawn pursuant to the order dated 13.07.2016. On 13.07.2016, this Court had given liberty to issue fresh charge memo. Therefore, the petition do not survive for consideration as the same has become infructuous. So far as challenge to suspension order is concerned, the order of suspension has been revoked. The difference of salary during suspension period would be decided only as and when the discipline proceedings are concluded.

Learned counsel for the petitioner contended that this Court cannot give liberty to the respondents to withdraw the charge memo

reserving liberty to them to frame fresh charges. The respondents fairly admitted during pendency of the present petition stating that charge-sheet was vague therefore they have realised their mistake and they are entitled to withdraw and sought for liberty to frame fresh charges. Thus, there is no lacuna in giving liberty to frame or issue fresh charges for the reasons that the alleged allegations are to be enquired in domestic inquiry under the disciplinary rules.

Learned counsel for the petitioner has not pointed out any law prohibiting the respondents to frame charges as well as giving liberty by this Court to frame charges. The contention of the petitioner stands rejected.

In view of disposal of this writ petition, contempt petition stands dismissed.

23.08.2016
sahil soni

(P.B. BAJANTHRI)
JUDGE

Whether speaking/reasons: Yes/No

Whether Reportable: Yes/No