

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

CWP No.386 of 2016

Date of Decision:11.01.2016

Jagdish Singh

... Petitioner

Versus

State of Punjab & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Sunil Agnihotri, Advocate,
for the petitioner.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

Rule 7 of the Punjab Affiliated Colleges/Security of Service of Employee) Act, 1974, bars engagement of counsel in a domestic inquiry. The request of the petitioner for assistance by counsel has been turned down by the Inquiry Officer. It is argued that the right to take a decision is possessed by the management and not the Inquiry Officer, in the first instance. Therefore, without expressing any opinion on the structure of the rules, the management would look into the grievance of the petitioner and see if it can be accommodated, in case, there is a rule of relaxation, or they may consider in the interest of justice whether to apply the principles of natural justice. The management would evaluate the advantages and disadvantages of appearance through counsel in the context of the charges alleged.

With these observations and directions, the petition stands disposed of.

11.1.2016

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**(RAJIV NARAIN RAINA)
JUDGE**