

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

Sr. No.113

CWP No.9046 of 2016

Date of decision: 10.05.2016

OPS Ahlawat

....Petitioner

versus

The State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Sunny Bhardwaj, Advocate
for the petitioner.

* * *

DEEPAK SIBAL, J. (Oral)

Through the present petition, the petitioner seeks quashing of show cause notice dated 08.04.2016 (Annexure P-3) vide which his reversion has been proposed from the post of Assistant Excise and Taxation Officer (AETO) to the post of Taxation Inspector (T.I.) on the ground that he has not passed the required departmental examination.

Since the present petition has been filed seeking quashing of the show cause notice to which the petitioner has filed a detailed reply upon which till date no final order has been passed, the present petition is clearly premature, warranting no interference at this stage.

Dismissed as pre-mature.

However, respondent No.1 who has issued show cause notice to the petitioner is directed to take a final decision in the matter after considering all the issues raised by the petitioner in his reply including the exemptions granted from passing of departmental examination to

similarly situated employees and the fact that he is suffering from chronic disease.

The final order to be passed be a speaking order and after granting opportunity of hearing to the petitioner and in case the same is adverse to his rights, in the peculiar facts of the case, the same be kept in abeyance for a week from the date it is communicated to the petitioner, enabling him to avail his remedy to challenge the same in accordance with law, if so advised.

(DEEPAK SIBAL)
JUDGE

May 10, 2016
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