

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.9086 of 2016
Date of Decision:- 10.05.2016

Hari Ram

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

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

RITU BAHRI, J. (Oral)

The petitioner is aggrieved against a show cause notice dated 08.04.2016 (Annexure P-3) whereby he sought to be reverted 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 departmental examination.

The grievance of the petitioner is that the department has granted exemption from passing the departmental examinations to its number of employees as per orders (Annexures P-13 to P-17).

Since the present petition has been filed to quash a show cause notice to which the petitioner has filed a detailed reply (Annexure P-7) upon which no final order has yet been passed, the present petition is

clearly premature, warranting no interference at this stage. This petition is disposed of by giving a direction to respondent No.1 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, after granting opportunity of hearing to him and in case, the same is adverse to the rights of the petitioner, in the peculiar facts of the case, it 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.

May 10, 2016
naresh.k

(RITU BAHRI)
JUDGE