

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

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**CWP-1328-2013(O&M)
Decided on 16.02.2017**

DHARAM PAL

....PETITIONER

VS

STATE OF HARYANA & OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. N.S.Bhinder, Advocate
for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

AJAY TEWARI, J.(Oral)

CM-6655-2016

This is an application to place on record two documents as
Annexure R-1 and R-2.

For the reasons recorded in the application, the same is
allowed and documents Annexure R-1 and R-2 are taken on record.

Main case

By this petition, the petitioner has challenged the order of
withdrawing his name from C-1 list. It is not disputed that the name
was withdrawn because of annual confidential report in which the doubt
was cast on his integrity. It was the contention of the learned counsel
that this aspersion has been cast because the petitioner have been falsely
involved in the criminal case and departmental enquiry was also
initiated against him.

On 20.11.2015, the following order was passed:

“Learned counsel for the State is directed to place on record the order rejecting the representation of the petitioner against the impugned adverse remarks and the comments of the concerned officer leading to such rejection.”

Pursuant to that order affidavit of Satender Kumar Gupta, IPS Superintendent of Police, Sirsa has been filed alongwith Annexure R1, the recording officer has stated that he has recorded adverse remarks only on the basis of the fact that petitioner was facing a departmental enquiry. It is not disputed that in departmental enquiry the petitioner has been exonerated and in criminal case related to the same charge the petitioner stands acquitted.

In this view of the matter, the petition is allowed and the orders removing his name from the list C-1 is set aside and the petitioner is entitled for consequential benefits.

16.02.2017
anuradha

(AJAY TEWARI)
JUDGE

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Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No