

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.11262 of 2015.

Date of Decision:-21.07.2017.

Satish Kumar Kochhar

.....Petitioner

Versus

Punjab National Bank, Human Resources Development Department, Circle Office, Chandigarh and others

.....Respondents

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

Present: Mr. R.K. Handa, Advocate and
Mr. Madan Sandhu, Advocate for the petitioner.

Mr. K.C. Bhatia, Advocate for the respondents.

P.B. BAJANTHRI, J. (Oral)

In the instant writ petition, petitioner has assailed the charge memo dated 4.10.2014 (Annexure P-1).

On an earlier occasion, petitioner has approached this Court seeking certain relief insofar challenge to the order dated 21.10.2014 with reference to the show cause notice dated 18.1.2014. Such writ petition was withdrawn by the petitioner with liberty. While disposing of CWP No.24688 of 2014, this Court was pleased to make an observation that *“It is expected that if any representation is made, the same shall be taken note of and disposed of before proceeding further in the enquiry.”* Without complying the observations, respondents have proceeded to initiate departmental inquiry by framing chargesheet on 4.10.2014 (Annexure P-1).

Thus, the present petition has been filed challenging Annexure P-1 dated

4.10.2014.

Learned counsel for the petitioner submitted that without complying the observations made in CWP No.24688 of 2014, respondents have proceeded to initiate the inquiry. Despite submitting representation no orders have been passed by the respondents while considering each of the contentions made in the representation. In view of these facts and circumstances, challenge to Annexure P-1 which is chargesheet can be interfered by this Court only on the ground of competency, *mala fide* or vagueness. The only contention is that earlier observation made by this Court has not been complied.

On the other hand learned counsel for the respondents submitted that petitioner's representation has been considered and, thereafter, charge memo has been issued. Perusal of the records, it is nowhere mentioned regarding consideration of the petitioner's representation dated 16.10.2014. Hence, the concerned respondent is hereby directed to not to act upon Annexure P-1 dated 4.10.2014 till a speaking order is passed on the petitioner's representation dated 16.10.2014. The respondents are directed to pass a speaking order on the petitioner's representation dated 16.10.2014 and communicate the same to the petitioner and proceed with Annexure P-1 charge sheet dated 4.10.2014, in accordance with law if it is warranted

Petition stands disposed of.

(P.B. BAJANTHRI)
JUDGE

July 21, 2017.

sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.