

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

**CWP-14974-2014 (O&M)
Date of decision:13.07.2017**

Jaspal Kaur

... Petitioner

Vs.

State of Punjab & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. H.C. Arora, Advocate for the petitioner.

Mr. Avinit Avasthi, AAG, Punjab.

Mr. Jastej Singh Dhaliwal, Advocate for
Mr. H.S. Brar, Advocate for respondent No.5.

Mr. Amit Kumar Saini, Advocate for respondents No.6 and 7.

...

TEJINDER SINGH DHINDSA, J.

Petitioner who was serving on the post of Inspector Grade-I under the Department of Food, Civil Supplies and Consumer Affairs, State of Punjab has challenged an order dated 25.07.2014 (Annexure P-12), whereby she had been placed under suspension.

During the course of hearing, this Court has been apprised that certain developments that have taken place during pendency of the writ petition and which would be relevant to the issue at hand.

Mr. Avinit Avasthi, learned AAG, Punjab upon instructions from Ms. Madhu, Food Supply Officer, Payal, District Ludhiana would submit that the impugned order of suspension dated 25.07.2014 (Annexure P-12) had been issued contemplating the initiation of departmental proceedings/inquiry.

It is not in dispute that a charge sheet dated 15.10.2015 had been issued to the petitioner and which was also a subject matter of challenge in CWP No.8860 of 2016 and in the inquiry proceedings that ensued upon issuance of the charge sheet dated 15.10.2015, the petitioner stands exonerated and the Competent Authority has taken a decision to drop the allegations contained in the charge sheet. Accordingly, vide order carrying even date i.e. 13.07.2017, CWP No.8860 of 2016 was disposed of as having been rendered infructuous.

Learned State counsel upon instructions from Ms. Madhu, Food Supply Officer, Payal, District Ludhiana would also inform the Court that apart from the charge sheet dated 15.10.2015 that had been served upon the petitioner, she is not involved in any other departmental proceedings.

In the light of such factual premise, it would be imperative for the Competent Authority to take a final view even as regards revoking the order of suspension. Suffice it to notice that the impugned order of suspension was passed on 25.07.2014 and the operation thereof was stayed by a Coordinate Bench of this Court on 14.08.2014. As such, a decision will have to be taken even with regard to such period during which the petitioner had remained under suspension.

The instant petition is, accordingly, disposed of with a direction to the Principal Secretary, Department of Food Civil Supplies and Consumer Affairs, Punjab to pass orders with regard to the suspension of the petitioner against the backdrop of the petitioner having been exonerated in the departmental proceedings that had been initiated.

Necessary orders in such regard be passed positively within a

period of one month from the date of receipt of a certified copy of this order.

It is clarified that while issuing such directions, this Court has not examined the validity of the impugned suspension order dated 25.07.2014 (Annexure P-12) on merits.

Disposed of.

13.07.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| (i) | Whether speaking/reasoned? | Yes/No |
| (ii) | Whether reportable? | Yes/No |