

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

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CWP-1045-2017 (O&M)
Date of decision: 23.01.2017

Sukhbir Singh Goyat

....Petitioner

Versus

State of Haryana

.... Respondent

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

Present: Mr. Jitender Dhanda, Advocate for the petitioner.

P.B. Bajanthri, J. (Oral)

In the instant writ petition, the petitioner has questioned the order dated 23.11.2016 vide Annexure P12 and 05.12.2016 vide Annexure P13 by which the official respondents have taken a decision to initiate re-inquiry by a Divisional Commissioner, Ambala. No statutory provision violation has been brought to the notice of this court.

Learned counsel for the petitioner submitted that initiation of enquiry is in violation of Government instructions dated 20.05.1985 vide Annexure P14 and standing order dated 28.01.2015 vide Annexure P11. In this regard, the competent authority is required to examine and take further steps in the matter i.e. in the inquiry which is being held by the Divisional Commissioner, Ambala.

Having regard to the challenge of ordering re-inquiry is concerned, it is a pre-mature. Courts can interfere in respect of initiation of enquiry only on the ground of mala fide and competency. Both the issues are not raised by the petitioner so as to entertain against Annexure P12 and P13. Hence, the petitioner has not made out a case. Whatever, the contention raised in the present petition, he can always raise before the competent authority-Divisional

Commissioner, Ambala who has been asked to hold an enquiry. Accordingly, petition stands dismissed.

At this stage, learned counsel for the petitioner seeks permission to withdraw the present writ petition. He is permitted to do so.

Accordingly, CWP stands dismissed as withdrawn.

23.01.2017
pooja saini

(P.B.BAJANTHRI)
JUDGE

Whether speaking/reasons	Yes/No
Whether Reportable:	Yes/No