

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

CWP No.1997 of 2014

Date of Decision:19.01.2017

Atma Ram

... Petitioner

Vs.

State of Haryana and others

... Respondents

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

Present : Mr. Rakesh Nagpal, Advocate for the petitioner.
Mr. Harish Rathee, Sr. D.A.G. Haryana.

P.B. BAJANTHRI J.

The petitioner has questioned the validity of office order dated 13.1.2014.

The petitioner is stated to have been working as a driver and his services have been regularized on 31.12.2013 w.e.f. 8.5.2003 instead of 9.9.2013. The said order has been withdrawn by office order dated 13.1.2014 (Annexure P-8).

Learned counsel for the petitioner submitted that order dated 10.1.2014 withdrawing the regularization quoted in Annexure P-8 dated 13.1.2014 is without issuing notice to the petitioner.

Perusal of the office order dated 13.1.2014 shows that the petitioner has not been issued any notice before withdrawing the order of regularization dated 10.1.2014. Withdrawal of regularization has a civil consequence. Therefore, before withdrawing of regularization, petitioner should have been heard in the matter. On this short ground Annexure P-8 is liable to be set aside.

Accordingly, the petition stands allowed. However, this order will not come in the way of the respondents to issue show cause notice to the petitioner and proceed in accordance with law if it is permissible.

19.01.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No