

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

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**CWP No. 3612 of 2016 (O&M)
Date of decision: 28.03.2017**

Raj Kumar Malik

... Petitioner

Versus

Haryana State Agricultural Marketing Board and another

... Respondents

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

Present: Mr. R.K.Malik, Sr. Advocate with
Mr. Kuldeep Sheoran, Advocate for the petitioner.

Mr. Vikas Chatrath, Advocate for respondent No.1.

P.B. Bajanthri, J. (Oral)

In the present petition, petitioner has questioned Annexure P5 dated 24.07.2014 a show cause notice issued to the petitioner so as to disagreeing with the Inquiring Officer's report and further proposal for imposing the penalty of stoppage of three increments with cumulative effect, besides recovery of loss Rs.10,42,700/- on proportionate basis and further he has questioned the proceedings of the meeting of the Administrative Committee held on 17.12.2015 by the committee consists of Secretary, Chief Administrator and Chairman in which item no. 10 relates to the petitioner. Both Annexures P5 and P7 are not final decisions of the disciplinary authority to the petitioner. In the absence of final order in the disciplinary proceedings, the petitioner has rushed to this court and obtained interim order of status quo. Thus, respondent-disciplinary authority to the

petitioner pursuant to the identification of authority empowered to impose penalty is required to pass final order in the matter. Therefore,, the present writ petition is premature in questing the show cause notice and proposal to impose penalty by the proceedings dated 17.12.2015. Hence, the writ petition is pre-mature. Accordingly, petition stands dismissed. Reserving liberty to the petitioner to approach as and when final decision is taken by the disciplinary and competent authority in the matter.

28.03.2017

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No