

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

235

**CWP-4990-2016 (O&M)
Date of decision:02.05.2017**

Inder Singh

....Petitioner

Versus

State of Haryana and others

.... Respondents

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

Present: Mr.P.K.Sachdev, Advocate for the petitioner.

Mr. R.K.Doon, AAG, Haryana.

P.B. Bajanthri, J. (Oral)

The petitioner has questioned the validity of Annexure P3 dated 14.12.2015 and Annexure P4 dated 15.02.2016 by which petitioners Ist and 2nd ACP granted has been withdrawn and further ordered for re-fixation of his pay. Perusal of both the orders, it is evident that without hearing the petitioner orders have been passed. If order is passed against an employee, if it is effect of civil consequence, it is understood that he is entitled for notice and hearing. In the present case, the petitioner's emoluments have been reduced by virtue of the impugned orders. Consequently, without hearing the petitioner i.e. issuance of notice, orders have been passed. Accordingly, Annexures P3 and P4 are set aside.

CWP stands allowed with cost of Rs.10,000/-. The same shall be paid by the respondent No.3-Haryana Roadways, Karnal to the petitioner within a period of 3 months from today. Reserving liberty to the Haryana

Roadways, Karnal to proceed in accordance with law by issuing necessary detailed notice containing the reasons as to why the petitioner's Ist and 2nd ACP is sought to be withdrawn. After receipt of the petitioner's explanation, proceed to pass final order in the matter.

With the above observation petition stands allowed.

02.05.2017
pooja saini

(P.B. BAJANTHRI)
JUDGE

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