

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

240

CWP No.4037 of 2017

Date of decision: 02.08.2017

Vijay Goyal

....Petitioner

Versus

State of Haryana & another

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.Naveen S.Bhardwaj, Advocate, for the petitioner.

Ms.Shruti Jain Goyal, AAG, Haryana.

G.S. SANDHAWALIA, J. (Oral)

Petitioner challenges the order dated 20.02.2017 (Annexure P-5) whereby the ACP granted to the petitioner has been ordered to be withdrawn as he did not possess the valid degree in Engineering.

The specific case of the petitioner was that no show cause notice or any opportunity of hearing was ever granted to him, while passing the impugned order.

The said fact had been put to the State Counsel on 04.05.2017 also as to whether the said averment made was correct. State Counsel, on instructions, submits that the averment made is correct and no notice was issued to the petitioner while passing the impugned order.

Accordingly, the order dated 20.02.2017 (Annexure P-5), being violative of principles of natural justice, is hereby quashed. It would be open to the respondents to issue show cause notice to the petitioner and take his response before passing any adverse order.

With the above liberty, the present writ petition stands allowed.

02.08.2017

Sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No