

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

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CWP No.5058 of 2017 (O&M)

Date of Decision : 14.03.2017

Rishi Raj Gautam

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Ram Niwas Sharma, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

This petition has been filed for issuance of direction to the respondents to reinstate the petitioner as he was placed under suspension vide order dated 10.08.2016 (P-13) and under Rule 5 of Haryana Civil Services (Punishment and Appeal) Rule 2016, the suspension period beyond 90 days is invalid if no disciplinary proceedings are initiated.

Learned counsel for the petitioner states that the petitioner was suspended on 10.08.2016. His grievance is that despite lapse of more than six months even the charge-sheet has not been issued and as per Rule 5 of Haryana Civil Services (Punishment and Appeal) Rule 2016 his suspension was liable to be revoked after 90 days and no further order has been passed for extending the period of suspension under the second proviso of Rule 5. He further states that in this connection the petitioner has made a representation dated 29.11.2016 (Annexure P-14) which is addressed to the respondent No.2.

Keeping in view the plight as portrayed, I deem it appropriate to direct the respondent No.2 to decide the said representation of the petitioner by passing a speaking order thereon within a period of one month from the date of receipt of a certified copy of this order by giving reasons. Ordered accordingly.

Petition stands disposed of.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

14.03.2017
pooja sharma-I

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No