

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

CWP No.6293 of 2017

Date of Decision : 27.03.2017

ASI Surinder Singh and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Rajesh Goyal, Advocate
for the petitioners.

AJAY TEWARI, J. (Oral)

By this petition the petitioners have challenged the memo/order dated 23.07.2013 (Annexure P-4) and the show cause notice on the basis thereof dated 14.03.2017 (Annexure P-5).

The primary ground taken is that in CWP No.19052 of 2013 the operation of the order (Annexure P-4) has been stayed in the case of some other petitioners. Learned counsel for the petitioners has argued that in view of the fact that this Court has already stayed the operation of the order dated 23.07.2013 it would be appropriate for this Court to do the same in this case also.

In my opinion, it would be more appropriate if the petitioners first file the reply to the show cause notice bringing out all these facts because till such time an order is passed no cause of action really arises to the petitioners.

Learned counsel for the petitioners states that he filed the present writ petition on 19.03.2017, within 4 days of the receipt of notice dated 14.03.2017 and by now the period of one week has elapsed and therefore any reply which he may file now would be rejected on the ground that it is barred by delay. That apprehension of the petitioners can well be remedied.

Consequently, the petition is disposed of as having been premature at this stage with a direction to the respondent No.5 that in case the petitioners now file a reply to the show cause notice on or before 03.04.2017 the same be decided on merits without taking the ground of delay.

Copy of this order be given *dasti* to the learned counsel for the petitioners under the signatures of the Bench Secretary.

Since the main case has been decided, the pending Civil Misc. Application, if any, also stands disposed of.

March 27, 2017
pooja sharma-I

(**AJAY TEWARI**)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No