

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

CWP No.13543 of 2015(O&M)
Date of Decision:28.3.2018

Hafed Employees Union and others ... Petitioners

Versus

State of Haryana and others ... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.VK Jindal, Sr.Advocate with
Mr.Gopal Soni, Advocate for the petitioners

Ms.Shruti Jain Goyal, AAG, Haryana

Mr.G.S.Wasu, Advocate for respondent no.2

Mr.K.K.Gupta, Advocate for respondent no.3

Mr.Lokesh Narang, Advocate for respondent no.4

RAJIV NARAIN RAINA, J. (Oral)

The writ petition is premature since it has been filed against show cause notice(s). The Union and the co-petitioners would be free to file objections to the show cause notice(s) and to try and persuade the authorities to redress their grievances made in the prayer clause of this petition.

Without expressing any opinion on the merits of the case and on the prevailing executive instructions, either of the Central Government through its Food Corporation of India (FCI) or the State Agency, this petition is disposed of with a direction to the competent authority amongst the respondents to take a rational decision on the grievance of the petitioners who in the making of the decision would be dealt with fairly, independently and without any bias at the hearing. It may be noticed that the Union and the co-petitioners belong to HAFED-respondent no.2.

In case objections have not been filed so far, then the

limitation, if any, in the bye-laws/rules of HAFED. In case where charge-sheets have been issued, they will be taken to their logical conclusion in accordance with law. It would be the endeavour of the competent authority in HAFED to conclude the disputed issues arising out of the show-cause notice(s) within a reasonable time of at least not more than six months. Till final decision is not taken, it is directed that the recoveries be not made from the members of the petitioner-Union and petitioners no.2 and 3.

28.3.2018
MFK

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No