

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

CWP No. 10336 of 2018

Date of Decision: 27.4.2018

Vijay Kumar

...Petitioner.

Versus

State of Haryana and others

...Respondents.

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Ravinder Singh Saroha, Advocate
for the petitioner.

ARUN PALLI, J. (ORAL)

A writ in the nature of Certiorari is prayed for, to quash the order dated 2.4.2014 (Annexure P-1), vide which the petitioner purports to have been dismissed from service.

Ex facie, vide order that is being assailed, dated 2.4.2014 (Annexure P-1), neither the petitioner was dismissed, nor discharged from service. In fact, it is a show cause notice, vide which a punishment of discharge, in terms of Rule 11 Sub Rule 12.21 of the Punjab Police Rules, was proposed. For, the petitioner, who was employed as Constable with the respondent department, had intentionally absented on duty on numerous occasions. Rather, the petitioner was granted two weeks' time to furnish his response to the notice (Annexure P-1). But, concededly, no reply was filed thereto.

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Whether any formal order, post notice dated 2.4.2014 (Annexure P-1), was passed by the authorities: nothing is stated in the petition in this regard. Even otherwise, the notice, that is being assailed, was issued over four years ago. Thus, the petition suffers from gross, inordinate and unexplainable delay.

That being so, no ground is made out to interfere in exercise of extraordinary jurisdiction under Article 226 of the Constitution of India. The petition being wholly devoid of merit, is accordingly dismissed.

27.4.2018

AK Sharma

(ARUN PALLI)

JUDGE

Whether Speaking/Reasoned:

YES / NO

Whether Reportable:

YES / NO