

CWP-19962-2018 (O&M)

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

**CWP-19962-2018 (O&M).
Decided on: November 19, 2018.**

Dr. Om Badhan

.. Petitioner

VERSUS

State of Punjab and others

.. Respondents

*** * ***

CORAM: HON'BLE MR.JUSTICE JASWANT SINGH

*** * ***

**PRESENT Mr.Tejinderbir Singh, Advocate,
for the petitioner.**

Mrs.Anu Chatrath Kapoor, Addl. A.G. Punjab.

JASWANT SINGH, J. (ORAL)

The petitioner is serving as a Medical Officer and thus a member of the Punjab Civil Medical Services. While he was posted at Community Health Centre (CHC), Badha Pind, District Jalandhar, in the year 2013-15, the villagers of the area had made a complaint against Dr.Jatinder Singh also posted at the same Community Health Centre (CHC), regarding manipulations of the MLRs. Dr.Jatinder Singh had harboured the impression that such complaints were made at the instance of the petitioner resulting into allegations/complaints made by both the doctors against each other. The Civil Surgeon, Hoshiarpur, after conducting a fact finding enquiry submitted a report dated 25.5.2015 (Annexure P2) recommending

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the transfer of both the aforesaid doctors at different places. The Government vide memo dated 23.12.2015 (Annexure P3), advised both the medical officers to stop their mutual personal rivalry lest disciplinary action may be taken for awarding major penalty. Subsequently, charge sheet dated 22.12.2017 (Annexure P5), has been issued to the petitioner by the Government in respect of the aforesaid mutual conflict between the aforesaid two officers. Hence, the prayer is for quashing of Annexures P2, P3 and charge sheet dated 22.12.2017 (Annexure P5).

Since Annexures P2 and P3, are only communications, the challenge, thus, was entertained only qua charge sheet dated 22.12.2017 (Annexure P5).

On the previous dates of hearing, the counsel for the State was directed to seek instructions with regard to the futility of carrying on the disciplinary enquiry keeping in view the frivolous nature of the dispute as also that the officers concerned stood transferred at different places.

At the time of resumed hearing today, State counsel, on instructions from Mr.Arun Kumar, Senior Assistant, Health - 2, Branch, states that the impugned charge sheet dated 22.12.2017 (Annexure P5), against Dr.Om Badhan – petitioner, stands dropped vide order dated 1.11.2018.

An affidavit dated 19.11.2018, of Dr.Jaspal Kaur, Director, Health and Family Welfare, on behalf of respondent Nos.1 to 3,1 has been filed to that extent.

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In view of above, counsel for the petitioner concedes that nothing more survives for adjudication in the instant writ petition.

Disposed of as having rendered infructuous.

(JASWANT SINGH)
JUDGE

November 19, 2018.
raj arora

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No