

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

**LPA No.1818 of 2015 (O&M)
Date of decision : July 10, 2018**

Shri Sunil and others Appellants

Versus

State of Haryana and others Respondents

**CORAM : HON'BLE MR. JUSTICE A.B. CHAUDHARI
HON'BLE MR. JUSTICE KULDIP SINGH**

Present:- Ms. Divya Bajaj, Advocate for
Mr. Arun Khatri, Advocate for the appellants.

Mr. Vaibhav Gupta, Advocate for
Mr. K.K. Gupta, Advocate for respondent No.3.

Mr. Ravi Dutt Sharma, DAG, Haryana.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

A.B. CHAUDHARI. J (ORAL)

CM-3921-LPA-2015

There is delay of 38 days in filing the present appeal.

For the reasons mentioned in the application, delay of 38 days in filing the present appeal is condoned.

Application stands disposed of.

Main Case

Ms. Divya Bajaj, proxy counsel for Mr. Arun Khatri, Advocate for the appellants seeks adjournment on the ground that learned arguing counsel for the appellants is unwell.

In the ordinary course, we would have granted the adjournment for the reasons given by learned proxy counsel. But what we find is challenge in the present appeal is the judgment and order of Single Bench

dated 12.10.2015 passed by this Court in CWP No.20554 of 2015, by which he has held that the petitioners had rushed to the writ Court against only the show cause notice by which the appellants were asked to file reply to the charge-sheet, which was initiated pursuant to the orders passed by this Court.

The learned Single Judge has observed that the petitioners ought to have awaited further progress rather than rushing to the High Court by way of filing the writ petition. The authorities have not taken any decision whether to continue with the inquiry or not.

The learned Single Judge has found that it was not necessary to entertain the petition at such a premature stage and therefore relegated the petitioners to take up their remedy before the Inquiry Officer or the authorities rather than approaching the writ Court.

The learned Single Judge has not passed any order adverse to the interest of the petitioners, which can be seen from the reading of the order. Therefore, we find no reason to interfere with the impugned order passed by the learned Single Judge.

The LPA is thus dismissed.

(A.B. CHAUDHARI)
JUDGE

(KULDIP SINGH)
JUDGE

July 10, 2018

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Whether speaking / reasoned Yes / No

Whether Reportable: Yes / No