

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No. 17308 of 2019
Date of Decision: 01.07.2019

Sher Singh and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Amrita Nagpal, Advocate for the petitioners.

Harsimran Singh Sethi J. (Oral)

In the present writ petition, the challenge is to the show cause notice dated 26.04.2019 (Annexure p-2), issued to the petitioners.

Learned counsel for the petitioners very fairly admits that no order in pursuance to the show cause notice has been passed causing prejudice to the petitioners or reverting the petitioners or withdrawing the promotion of the petitioners, as proposed in the show cause notice.

Admittedly, there is no order at present, which is causing prejudice to the petitioners. Show cause notice is only a tentative view of the department and the said tentative view has not been finalized by the department so far and, therefore, the present writ petition is premature.

Learned counsel for the petitioners states that some similarly situated personnel have filed Writ Petition bearing No. CWP No. 12797 of 2019, and the same has been entertained by this Court.

Mere issuance of notice of motion in similar controversy is not

binding, especially, in view of the fact that there is no order in pursuance to the show cause notice passed by the respondents uptill now, which is causing any prejudice to the petitioners. In the absence of any such order causing prejudice to the petitioners, the writ petition cannot be entertained merely on apprehensions. In case, the respondents pass any order in pursuance to the show cause notice dated 26.04.2019 (Annexue P-2), causing prejudice to the petitioners in any manner, petitioners will be free to approach the appropriate forum for the redressal of their grievances.

Present writ petition is dismissed as premature at this stage.

July 01, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? *Yes*
Whether reportable? *No*