

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.1135 of 2018
Date of decision:23.10.2019

Dalbir Singh Boora

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Tara Dutt, Advocate for
Mr. Sunil K. Nehra, Advocate
for the petitioner.

Mr. Gaurav Jindal, Additional Advocate General, Haryana.

AMIT RAWAL J. (Oral)

Grievance of the petitioner in present writ petition is for quashing of suspension order dated 26.07.2016 (Annexure P-1) vide which his services have been suspended with effect from 21.07.2016 as no enquiry has been initiated against him so far.

The State has filed reply. In paragraph 5 of preliminary submission, it has been stated that enquiry officer has been appointed and petitioner has been re-instated vide order dated 24.01.2018 (Annexure R-4) subject to the outcome of final decision of petition/appeal/revision and disciplinary proceedings pending against him. Para 5 of reply reads thus:-

“5. That in pursuance of order dated 19.01.2018 passed by this Hon'ble Court, the petitioner Sh. Dalbir Singh has been reinstated by the Engineer-in-Chief, Haryana Public Health

Engineering Department, Panchkula vide order endst.no.7541-49-PHE/ET(2) dated 24.01.2018 (Annexure R-4) subject to condition of final decision of petition/appeal/revision and disciplinary proceedings pending against him. Since the petitioner has been reinstated from suspension, therefore, the present petition is liable to be dismissed being devoid of merits. In view of the above, a criminal case as well as disciplinary proceedings against the petitioner are pending. As such this writ petition is premature as well as without any substance and therefore, the same is liable to be dismissed.”

In view of the aforementioned stand, I am of the view that grievance of the petitioner has been vindicated. No further order is required to be passed.

Disposed of.

(AMIT RAWAL)
JUDGE

October 23, 2019
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No