

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

**CWP-21021-2019 (O&M)
Date of decision: 12.09.2019**

RAM TIRATH SAINI

...PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Ritu Punj, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Though, in the present writ petition, the petitioner has impugned the charge sheet dated 11.10.2017 (Annexure P-6) but at the time of hearing, counsel for the petitioner states that the allegation alleged in the charge sheet has become irrelevant for the reason that the file, which could not be traced and it was alleged that the same was handled by the petitioner while in service, has already been located subsequent to the issuance of the charge sheet but still the respondents are not deciding the charge sheet by taking it to a logical end keeping in view the subsequent events especially when another employee, namely, Parminder Singh, who is still in service, and was also accused of the same allegation, has already been exonerated by the respondents themselves vide order dated 28.08.2019.

Learned counsel for the petitioner prays that the petitioner will be satisfied at this stage in case, a direction is issued to the respondents to decide the charge sheet in a time bound manner by taking into consideration all the facts including the subsequent events that the file has already been located and another employee, who was also accused of the same allegation, has already been

Notice of motion.

On the asking of the Court, Ms. Sunint Kaur, AAG, Punjab who is present in Court today, accepts notice on behalf of the respondents.

Learned counsel for the respondents states that she has no objection in accepting the prayer of the petitioner in finalizing the enquiry proceedings in a time bound manner in respect of the charge sheet dated 11.10.2017 (Annexure P-6), in case the petitioner cooperates during the enquiry. She prays that the department may be given 6 months to finalize the said proceedings. She further prays that as she does not have the full facts to her knowledge at this stage, therefore, she may also be given liberty to approach this Court in case, the petitioner does not cooperate in the process of finalizing the enquiry in a time bound manner as undertaken by the counsel for the petitioner or due to some unforeseen circumstances, the enquiry is not finalized within a period of six months as undertaken.

Learned counsel for the petitioner states that keeping in view the statement given on behalf of the respondents, she does not wish to press this writ petition any further and the same may be disposed of as such.

The present writ petition is disposed of with directions to the respondents to comply with their undertaking with liberty as prayed for.

12.09.2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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