

CWP-26465-2019 (O&M)

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

**CWP-26465-2019 (O&M)
Date of decision : 18.09.2019**

Dharambir Singh

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Manjeet Singh, Advocate
for the petitioner.

AMIT RAWAL, J. (ORAL)

Notice of motion.

On asking of the Court, Mr. R.K. Doon, AAG, Haryana, who is present in Court, accepts notice on behalf of the respondent(s)/State.

Challenge, in present writ petition, is to the impugned order dated 18/19.03.2019 (Annexure P-15), whereby detailed representation dated 23.12.2015 (Annexure P-13) against communication of adverse remark 'Below Average Officer' in the ACR for the period 06.06.2014 to 10.11.2014, has been dismissed without assigning reasons.

Learned counsel for the petitioner submits that though there are many other reasons, stated in the representation, much less, some other attribution, but the impugned order is bereft of any reason.

I have heard learned counsel for petitioner and appraised the paper book.

It would be apt to reproduce the relevant portion of impugned

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order, which reads as under:-

"After careful consideration of matter, the Government have decided to dismiss the representation of Sh. Dharambir Singh, DSP as ACR has been suspected is advisory and the DGP has not favoured any mercy."

On going through the impugned order, the same is bereft of reasoning, thus, the matter is required to be re-visited at the level of Additional Chief Secretary to Government of Haryana, Home Department. Accordingly, the impugned order is set aside and the matter is remitted to respondent No.2, to decide the representation afresh in a most pragmatic and reasonable manner by taking into consideration all material, which petitioner intends to place on record or already taken on record along with representation, after affording the opportunity of hearing to petitioner.

Let this exercise be done within a period of three months from the date of receipt of certified copy of this order.

With the aforesaid observations, the present writ petition is disposed of.

18.09.2019

Yogesh Sharma

**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**