

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.30673 of 2019

Date of Decision: October 23, 2019

Karan Singh

...Petitioner

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr. S.K.Panwar, Advocate,
for the petitioner.

AMIT RAWAL, J. (Oral)

Prayer in the present writ petition is for transfer of the enquiry initiated against the petitioner to any competent official of the department other than respondent No.5, i.e., the Enquiry Officer.

Mr. S.K.Panwar, learned counsel representing the petitioner submitted that in 2007 while working as a Carpenter Instructor in I.T.I. on contract basis at D.C.rates, was served with a show cause notice and the allegations of charges which were totally baseless and without any justification. The aforementioned show cause notice was duly replied, but the disciplinary authority served list of allegations and thereafter respondent No.5 has been appointed as an Enquiry Officer on 28.06.2018. Petitioner had even made a request for closing of the enquiry in view of the previous request, but the Principal is intentionally harassing the petitioner owing to personal enmity. Even a legal notice dated 15.04.2019 Annexure P-2 (colly) was served for closing the *de novo* enquiry proceedings initiated under Rule

7 of the Haryana Civil Services (Punishment and Appeal) Rules, 2016, but did not yield any result. Non-taking of action by the authorities is an act of biasness, to harass and humiliate the petitioner and also having a pre-determined mind to take action in culmination of the enquiry proceedings, therefore, cause of action accrued to seek transfer of the enquiry proceedings.

I have heard the learned counsel for the petitioner, appraised the paper book and of the view that the entire writ petition does not reveal any act of biasness against the Enquiry Officer, whereas the pleading reveals the allegations against the Principal, which are out of place to the submissions. Such type of request cannot be accepted at the drop of the hat, otherwise it will encourage the delinquent officials to indulge into forum shopping.

No ground for interference is made out. Writ petition stands dismissed.

October 23, 2019
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No