

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

CWP No.32188 of 2019
Date of Decision : 18.11.2019.

Rajinder Singh

...Petitioner

Versus

State of Haryana and others

....Respondents

Coram : Hon'ble Mr. Justice B.S.Walia

Present: Mr. Sushil Jain, Advocate for the petitioner.

B.S.WALIA, J. (Oral)

1. Prayer in the writ petition is for the issuance of a writ of Certiorari for quashing order Annexure P/6 dated 16.11.2018 passed by respondent No.3 withdrawing order Annexure P/5 dated 16.11.2018 whereby the petitioner was reinstated by revoking suspension order No.8172/EA/ECD dated 16.11.2018. Learned counsel contends that suspension of the petitioner and issuance of charge sheet is in malafide exercise of power and although the petitioner has made a representation Annexure P/7 dated 19.11.2018 for revocation of suspension, no decision has been taken on the same till date.

2. On query, learned counsel admits that the petitioner has not filed reply to the charge sheet but states that no proceedings have been conducted in respect thereto and in the circumstances, the petitioner be permitted to withdraw the writ petition with liberty to file reply to the charge sheet and directions be issued to the competent

authority to consider representation Annexure P/7 dated 19.11.2018 as well as reply to the charge sheet on same being filed for decision with regard to prayer for revocation of suspension of the petitioner as well as dropping of the charge sheet in accordance with law, in a time bound manner.

3. Without commenting on the merits of the claim, the writ petition is disposed of by granting liberty to the petitioner to file reply to the charge sheet in accordance with law within one week from the date of receipt of certified copy of this order as also to submit copy of representation Annexure P/7 dated 19.11.2018. On receipt of copy of representation Annexure P/7 dated 19.11.2018 as well as reply to the charge sheet, respondent No.3 is directed to consider and decide the representation vis-à-vis claim for revocation of suspension as also prayer for dropping of charge sheet, in accordance with law as expeditiously as possible, preferably within three weeks from the date of submission of copy of representation Annexure P/7 dated 19.11.2018 as well as reply to the charge sheet.

4. Writ petition disposed of in aforementioned terms.

(B.S.WALIA)
JUDGE

18.11.2019.

rajesh.k.khurana

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