

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

**CWP No.4264 of 2020 (O&M)
Date of Decision:17.02.2020**

Ramkesh and another

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Ms. Anu Chatrath, Sr. Advocate with
Mr. Nishant Maini, Advocate for the petitioners.

TEJINDER SINGH DHINDSA J.(Oral)

As per pleadings on record, both the petitioners were issued appointment letters carrying even date 07.03.2019 (Annexures P-10 and P-11) respectively on the post of Fitter Instructors on contractual basis.

Instant writ petition is directed against two show cause notices also of the same date i.e.13.01.2020 at Annexures P-12 and P-13 contemplating relieving of the petitioners from their services. Learned Senior counsel has vehemently contended that the impugned notices dated 13.1.2020 (Annexures P-12 and P-13) even though captioned as show cause notices but in effect the decision to relieve the petitioners from services has already been taken and even termination orders stand prepared. It is further urged that the show cause notices issued are nothing but a formality whereas the writing is on the wall.

Having heard learned Senior counsel at length, this Court is of the considered view that no interference at this stage is warranted.

During the course of hearing it stands conceded that the

petitioners have already furnished a reply dated 28.01.2020 to the impugned show cause notices and no final order till date has been passed.

Under such circumstances, it would be imperative for competent authority to take into consideration all the contentions and submissions that may have been raised by the petitioners in their reply submitted to the show cause notices and thereafter to pass a final order.

At this stage, counsel has informed that certain other relevant facts have come to the notice of the petitioners and which would have a bearing on the issue. To take care of such situation liberty is granted to the petitioners to submit a supplementary reply to the impugned show cause notices within a period of five days from today.

In the eventuality of the petitioners doing so, the respondent authorities/competent authority would take into reckoning the reply dated 28.01.2020 already furnished as also the supplementary reply and to thereafter pass a final order in the matter.

Writ petition is accordingly disposed of.

It is clarified that this Court has not examined the case on merits.

(TEJINDER SINGH DHINDSA)
JUDGE

February 17, 2020

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No