

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

118)

CWP no.10982 of 2020

Date of Decision: 30.07.2020

ASI/ESI Subhash Chander

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Pankaj Bali, Advocate, for the petitioner.

Amol Rattan Singh, J. (Oral)

All the cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition filed under the provisions of Article 226/227 of the Constitution of India, the petitioner seeks issuance of a writ in the nature of certiorari, quashing firstly, the impugned order dated 19.03.2020 (copy Annexure P-2), by which a regular departmental enquiry has been ordered by respondent no.3, as also the charge-sheet issued thereafter, dated 03.04.2020 (copy Annexure P-3).

Learned counsel for the petitioner submits that the departmental enquiry is continuing even after a charge-sheet has also been submitted in the criminal proceedings against the petitioner, with therefore the petitioner having to disclose his defence in the departmental enquiry.

Notice of motion.

On the asking of the court, Mr. Ravinder Dhull, learned Addl. Advocate General, Haryana, accepts notice on behalf of the respondent-State.

Having considered the matter, this petition is disposed of with a direction that the common witnesses as have been cited in the departmental enquiry and in the criminal proceedings, shall not be examined in the departmental proceedings, till they have been examined by the trial court in the criminal proceedings, with a direction issued to the trial court that all those witnesses be examined at the outset.

30.07.2020
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(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No