

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

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CWP No.12709 of 2020

Date of decision : 26.08.2020.

Jagtar Singh and another

... Petitioners

Versus

State of Punjab and others

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Abhishek K. Premi, Advocate for the petitioners.

Ms. Maloo Chahal, DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioners have challenged the enquiry report dated 24.07.2019 (Annexure P-23) whereby they had made a complaint against respondent No.5 and the show cause notice dated 07.02.2020 (Annexure P-25) issued by respondent No.4 as the complaint filed by them was found to be frivolous.

Learned counsel for the petitioners contends that the petitioners had preferred a petition bearing CWP No.215 of 2020 before this Court wherein they had stated that no action had been taken on their complaint. The respondents had filed an affidavit that the matter had been enquired into and the report had been filed in this Court. Consequently, the petition was disposed of on 13.02.2020, by holding that the primary grievance of the petitioners has been addressed and if so advised, they may avail remedy in accordance with law. Learned counsel further contends that the Enquiry Officer has erroneously

arrived at the finding that the complaint was without any basis and there was no justification for issuance of show cause notice to the petitioners. The show cause notice was issued on 07.02.2020 and the petitioners have submitted their reply on 24.02.2020 and no order has been passed by the competent authority. He also contends that the petitioners had preferred an appeal against the enquiry report before respondent No.1 but it has not yet been decided.

I am of the considered view that this petition is premature as order has not been passed on the show cause notice. It would be inappropriate for this Court to interfere at this stage especially when the reply of the petitioners to the show cause notice is pending consideration before the competent authority and no order has been passed after the issuance of the show cause notice.

Consequently, the petition stands dismissed as premature at this stage. It would be open to the petitioners to avail any alternate remedy available to them under the law.

(ANUPINDER SINGH GREWAL)
JUDGE

August 26, 2020
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Whether speaking/reasoned	:	Yes
Whether Reportable	:	Yes/No