

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
114(PROCEEDINGS THROUGH V.C.)**

CWP-12485-2020

Date of decision: 09.09.2020

BIJENDER SINGH

...PETITIONER

V/S

STATE OF HARYANA AND OTHERS

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr.R.K.Malik, Sr. Advocate,
with Mr. Sandeep Dhull, Advocate,
for the petitioners.

Ms. Kirti Singh, DAG, Haryana,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL

On 03.09.2020, following order was passed by this Court:-

“ Learned counsel for the petitioner inter alia contends that before passing the impugned order (Annexure P-6), no opportunity of being heard was granted to the petitioner.

Learned State counsel prays for some time to seek instructions and assist this Court.

Adjourned to 09.09.2020.”

Counsel for the State, on instructions received from Sh. Amit Kumar, Legal Assistant, District Education Officer, Palwal, submits that prior to the passing of the impugned order dated 05.08.2020 (Annexure P-6), no show cause notice or personal hearing was given to the petitioner.

In the light of the above, the present petition is allowed. The impugned order dated 05.08.2020 (Annexure P-6) whereby the benefit,

which has been conferred upon the petitioner earlier, stands withdrawn, which is not permissible in law without giving a show cause notice/calling for an explanation or giving the personal hearing, whichever may be provided for, as it would be in violation of the principles of natural justice, is, hereby, quashed.

Liberty is, however, granted to the respondents to pass a fresh order, in accordance with law, if so advised.

September 09, 2020
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No