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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.14007 of 2020
Date of decision: 10.09.2020

Jitender Kumar

.....Petitioner(s)

V/s.

State of Haryana and others

.....Respondent(s)

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Ashish Sanghi, Advocate for the petitioners.

Mr. Rajesh Gaur, Additional Advocate General, Haryana, with
Mr. Minderjeet Yadav, Deputy Advocate General, Haryana.

Sanjay Kumar, J.

Challenge in this writ petition is to the inquiry report dated 20.08.2020 (Annexure P-2) submitted by the fourth respondent.

It is however an admitted fact that, basing on the impugned inquiry report, show-cause notice dated 26.08.2020 (Annexure P-3) was issued by the fifth respondent, the disciplinary authority of the petitioner. Mr. Ashish Sanghi, learned counsel for the petitioner, would inform this Court that the petitioner already submitted his reply to the aforesaid show-cause notice on 08.09.2020. He would however contend that the manner in which the inquiry was conducted was in violation of the directions of this Court in CWP No. 31366 of 2018, titled '**Jitender Kumar V/s. State of**

Haryana and others', decided on 17.07.2019.

Even if that be so, it would be open to the petitioner to raise this and all other issues and objections that he has with regard to the impugned inquiry report in his reply to the show-cause notice. At this stage, no cause is made out for this Court to venture any opinion as to the validity of the impugned inquiry report. It is for the disciplinary authority to consider the issues raised by the petitioner in his reply to the show-cause notice and take a decision in that regard.

Though a reply has already been submitted, Mr. Ashish Sanghi, learned counsel, would seek leave to enable the petitioner to file an additional reply, if necessary.

The writ petition is accordingly disposed of permitting the petitioner to file an additional reply, if he so chooses, to the show-cause notice dated 26.08.2020 within one week from the date of receipt of a copy of this order. The same shall be taken into consideration by the disciplinary authority before passing a final order.

No order as to costs.

(SANJAY KUMAR)
JUDGE

10.09.2020

rakesh

whether speaking/non speaking

:

Yes/no

whether reportable/non reportable

:

Yes/no