

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CWP No.14839-2020
Decided on : 18.09.2020

Dr.Hari Nath

..... Petitioner

Versus

Panjab University, Chandigarh and anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. A.P. Bhandari, Advocate
for the petitioner.

Manjari Nehru Kaul, J.

Instant petition has been filed under Article 226 and 227 of the Constitution of India for issuance of a writ in the nature of Certiorari for quashing the Show Cause Notice dated 08.09.2020 (Annexure P-11) issued by respondent No.2 as the same is not in accordance with law and also against the of principle of natural justice.

At the outset, the instant petition is pre-mature for the reason the show cause notice dated 08.09.2020(Annexure P-11) has been just issued seeking explanation of the petitioner in the light of the allegations levelled by him in the legal notice dated 16.05.2020 (Annexure P-9) sent to respondent No.1.

Needless to say, whatever the petitioner is urging by way of instant petition and whatever explanation he is offering before this Court in support of the legal notice dated 16.05.2020 (Annexure P-9) sent by him to respondent No.1, would have to be given to the authorities concerned, who have sought his explanation. Issuance of a show cause notice cannot be said to be a punitive action but it is only to ascertain the factual aspect with respect to the allegations levelled by the petitioner in his legal notice dated

16.05.2020 (Annexure P-9). It has been conceded by the learned counsel for the petitioner that as on date no order causing any prejudice much less imposition of any penalty has been passed against the petitioner by the respondent-authorities.

To say the least, the instant petition is premature. Petitioner will be however, at liberty to avail of appropriate remedy in case any order is passed in pursuance to the show cause notice, which causes prejudice to him. Accordingly, the instant petition stands dismissed as not maintainable.

18.09.2020
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No