

CWP-16577-2020

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-16577-2020

Date of Decision: 08.10.2020

Zile Singh Yadav

...Petitioner

Versus

State of Haryana & another

...Respondents

CORAM: HON'BLE MR. HARMINDER SINGH MADAAN

Present Mr. Raj Kapoor Malik, Advocate
for the petitioner.

HARMINDER SINGH MADAAN, J. (ORAL)

Case taken up through video conferencing.

Petitioner - Zile Singh Yadav, who is working as Assistant Secretary in the office of Secretary, Regional Transport Authority, Charkhi Dadri, District Rewari, Haryana, is an accused in FIR No.14, dated 14.08.2019, under Sections 7, 7-A and 8 of Prevention of Corruption Act, 1988, registered at Police Station State Vigilance Bureau, Karnal. He was arrested in this case and released on bail. Now the petitioner is facing trial in the said case. Petitioner is also facing disciplinary proceedings in the form of departmental enquiry with regard to these very allegations. His grouse is that taking in view the grave nature of allegations, the departmental enquiry is required to be stayed till conclusion of the trial. In support of such contention, learned counsel for the petitioner has referred to the judgment of Hon'ble Supreme Court in Uttaranchal Road Transport

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Corporation & others Vs. Manaram Nainwal, passed in Civil Appeal No.3179 of 2006 (arising out of SLP (C) 162 of 2006, decided on 28.07.2006, reported as 2006 (3) SCT 803.

Learned counsel for the petitioner submits that the petitioner has submitted a representation dated 14.08.2020 (Annexure P-8) in that regard to the respondents but no response has been received till date.

Notice of motion.

On the asking of the Court, Mr. Manish Dadwal, AAG, Haryana, accepts notice on behalf of the respondents.

Learned counsel for the petitioner has contended that the petitioner, at this stage, would be satisfied if a direction is issued to the official respondents to look into his representation dated 14.08.2020 (Annexure P-8) and decide the same in accordance with law within some specified time.

Learned State counsel representing the respondents submits that the respondents will comply any such direction, issued by this Court.

Accordingly, considering the facts and circumstances of the case, in order to avoid unnecessary litigation between the parties and enable the respondents to examine the grievances of the petitioner raised in his representation, the present writ petition is disposed of without going into merit of the case, directing the respondents to look into the representation dated 14.08.2020 (Annexure P-8) and take a decision on the same in accordance with law by passing a speaking order within a period of three weeks from the date of receipt of certified copy of this order.

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It is observed that till the disposal of the representation dated 14.08.2020 (Annexure P-8), the departmental proceedings against the petitioner be kept in abeyance.

08.10.2020
Nisha

(H.S. Madaan)
Judge

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No