

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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LPA No. 748 of 2020 (O&M)**Date of Decision: 29th October, 2020**

Dr. Vijay Kumar

....Petitioner

VERSUS

State of Haryana and others

....Respondents

**CORAM: JUSTICE S. MURALIDHAR
JUSTICE AVNEESH JHINGAN**

Present: Mr. S.K. Verma, Advocate for the Petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

Dr. S. Muralidhar, J.

1. It is seen that one of the reasons that weighed with the learned Single Judge in declining the Petitioner's prayer for a mandamus to the Respondents to issue him a 'No Objection Certificate' ('NOC') for pursuing a post-graduate degree/diploma (MD/MS) course, was that a decision had already been taken at the level of the Respondent/State Government on 11th February, 2020 to initiate disciplinary proceedings against the Petitioner for alleged misconduct.
2. While in the facts and circumstances, the Court is not inclined to interfere with the impugned order of the learned Single Judge, it considers it appropriate to direct that the Respondent/State Government will now initiate the disciplinary proceedings, as already proposed, and complete the inquiry against the Petitioner within a period of four months from today and, in any event, not later than 1st March, 2021. The decision on the Petitioner's request for issuance of an 'NOC' will be subject to the outcome of such disciplinary proceedings.

3. The appeal is disposed of in the above terms.

(S. MURALIDHAR)
JUDGE

(AVNEESH JHINGAN)
JUDGE

29th October, 2020
Satyawan

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No