

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

219

CWP-18559-2017

Date of Decision : 27.01.2020

Ramphool Singh

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr.Lalit Rishi, Advocate
for the petitioner.

Ms. Nidhi Garg, AAG, Haryana.

NIRMALJIT KAUR, J. (ORAL)

From the impugned order dated 02.03.2015 (Annexure P-3) as well as from the reply, it appears that the order has been passed on the ground that the petitioner has not given any reply to the show cause notice which was sent to him on 08.04.2005. This fact is denied by learned counsel for the petitioner. It is stated that he had duly filed his reply because even the decision on the show cause notice was taken on 02.03.2015.

In view of the above and without going into merits of the case, order dated 02.03.2015 is quashed. This Court deems it appropriate to dispose of this petition with a direction to respondent to file his fresh reply even if he had earlier filed or sent a reply earlier within four weeks from today. In case the said reply is filed within four weeks from today, the respondent shall consider the same and pass a fresh order within another four weeks from the receipt of the said reply in accordance with CWP-

law. It is clarified that the petitioner will also be given an opportunity for personal hearing before passing afresh order. It is further clarified that in case an appropriate decision is not taken within the stipulated period by the respondent as stated above, the officer concerned who has to pass the order will be held personally liable.

27.01.2020
anju

(NIRMALJIT KAUR)
JUDGE

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No