

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

**CWP-18494-2020 (O&M)
Date of Decision: 04.11.2020**

Seema Rani

..... Petitioner

versus

The State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Sandeep Kumar, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Pleadings on record would indicate that the petitioner has applied for the post of Upper Division Clerk against advertisement bearing No. 3/2016 advertised by the Haryana Staff Selection Commission on behalf of Dakshin Haryana Bijli Vitran Nigam. An offer of appointment was made to the petitioner vide office memo dated 13.12.2018 subject to fulfilment of the prescribed qualifications and other conditions of eligibility as per service rules/advertisement.

Apparently upon a verification exercise having been conducted certain shortcomings have been noticed insofar as the qualifications possessed by the petitioner. Accordingly memo dated 21.10.2020 has been issued by the Nigam calling upon the petitioner to explain in writing within

15 days as to why her services be not dispensed with on account of non-fulfilment of essential qualifications.

Instant writ petition is directed against memo dated 21.10.2020 (Annexure P-9).

Having heard counsel at length and having perused the pleadings on record this Court is of the considered view that the instant writ petition is premature and no basis for interference is warranted at this stage.

The impugned memo dated 21.10.2020 is in the nature of a show cause notice and towards fulfilment of the requirement of principles of natural justice. Petitioner ought to respond to the notice and to submit a reply to satisfy the employer as regards possessing the requisite qualifications as also eligibility conditions in relation to the post of Upper Division Clerk.

In view of the above and without going into the merits of the case, petition is disposed of in terms of granting liberty to the petitioner to respond to memo dated 21.10.2020 (Annexure P-9). In the eventuality of the petitioner submitting a reply within a period of five days from today, it would be obligated upon the respondent-authorities/competent authority to examine the same and to thereafter pass a reasoned order.

Writ petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

04.11. 2020
sunita

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No