

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

CWP-2680-2021 (O&M)

Date of Decision: March 08, 2021

DALIP KUMAR

..... PETITIONER(s)

Versus

STATE OF HARYANA AND OTHERS

..... RESPONDENT(s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Abhishek Kumar Premi, Advocate for the petitioner.

Mr. Amit Aggarwal, DAG, Haryana, for respondent no.1.

Mr. Ashish Yadav, Addl. AG, Haryana,
for respondents no.2 to 4.

LISA GILL, J.

Prayer in this writ petition is for setting aside charge sheet dated 19.06.2018 (Annexure P-12) as well as subsequent proceedings arising therefrom on the ground that said charge-sheet has been issued by respondent no.3 i.e. Commissioner, Municipal Corporation, Ambala against the provisions of Haryana Fire (Group-C) Service Rules, 2016 whereas respondent no.2 is the appropriate authority to issue the charge-sheet.

Learned counsel for respondents no.2 to 4, on instructions from Mr. Sanjiv Kumar, Superintendent (Fire), Office of Director, Local Bodies submits that charge-sheet dated 19.06.2018 (Annexure P-12) shall be withdrawn, however, liberty be afforded to the respondents to issue a fresh charge-sheet in accordance with law.

In view of specific statement made by learned counsel for respondents no.2 to 4, no further orders are required to be passed in respect to charge-sheet dated 19.06.2018. Needless to say, respondent-authorities are at liberty to serve a fresh charge-sheet upon the petitioner in accordance with provisions of law.

In respect to prayer addressed by the petitioner regarding consideration of his case for grant of 2nd A.C.P. w.e.f. 01.01.2019 as well as promotion to the post of Sub-Fire Officer w.e.f. 14.01.2020, petitioner is at liberty to approach respondent-authorities by way of a comprehensive representation, which if submitted within three weeks be considered and decided by the competent authority within two months thereafter.

Writ petition is accordingly disposed of.

08.03.2021

Sunil

(LISA GILL)**JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No