

119 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-20734-2021
Date of Decision : 10.11.2021

Paramjit Singh ...Petitioner

Versus

State of Haryana and Ors.Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. G.S. Gopera, Advocate for the petitioner.

B.S. Walia, J. (VC)

[1] Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

[2] Prayer in the petition under Articles 226 / 227 of the Constitution of India, is for the issuance of a writ, order or direction especially in the nature of Certiorari for quashing the impugned disagreement note-cum-show cause notice, Annexure P/3 dated 13.09.2021 issued by respondent No.3 under Rule 16.28 of the Punjab Police Rules, 1934 (as applicable to the State of Haryana) etc.

[3] At the outset, learned counsel contends that the petitioner has filed reply, Annexure P/4 dated 28.09.2021 to the aforementioned disagreement note-cum-show cause notice, Annexure P/3 dated 13.09.2021 but no decision has been taken on the same till date and that in the circumstances, the petitioner would be satisfied if the writ petition is disposed of by directing respondent No.3 to consider and decide the disagreement note-cum-show cause notice, Annexure P/3 dated 13.09.2021 after taking into account the reply, Annexure P/4 dated 28.09.2021.

[4] Notice of motion to respondent No.3 only.

[5] Mr. Tapan Kumar, learned DAG, Haryana, accepts notice on behalf of respondent No.3 and after perusal of the writ petition and on the basis of the instructions states that the writ petition is premature as no decision has been taken on the disagreement note-cum-show cause notice, Annexure P/3 dated 13.09.2021 till date, but that the same would be decided after taking into account the reply, Annexure P/4 dated 28.09.2021 filed by the petitioner.

[6] The same satisfies learned counsel for the petitioner.

[7] Accordingly, in view of the statement of learned counsel for the parties, the instant petition is disposed of by directing respondent No.3 to consider and decide the disagreement note-cum-show cause notice, Annexure P/3 dated 13.09.2021 in accordance with law after taking into account the reply, Annexure P/4 dated 28.09.2021 filed by the petitioner as also by taking into account the judgments, Annexures P5 to P7 in case the same are applicable and have attained finality.

[8] Petition disposed of with the aforementioned directions.

(B.S. Walia)
Judge

10.11.2021

'Amit'

Whether speaking/ reasoned : *Yes/No*
Whether reportable : *Yes/No*