

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

CWP-23369-2021

Date of decision: November 18, 2021

Mohit

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Sumit Rahul, Advocate for the petitioner.

Ms. Rajni Gupta, Additional AG Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing the impugned relieving/ termination order dated 31.08.2021 (Annexure P-14) passed by Sub Divisional Officer (Civil)-cum-Administrator Panchayat Samiti, Sanoli Khurd and the relieving order dated 31.08.2021 (Annexure P-15) issued by the Block Development and Panchayat Officer, Sanoli Khurd, District Panipat.

2. Learned counsel for the petitioner submits that the petitioner was appointed on the post of Mali-cum-Chowkidar on contract basis on 27.12.2016. He also submits that a false and frivolous FIR was registered against the petitioner and accordingly, vide impugned order dated 31.08.2021 (Annexure P-14), his services were terminated without affording him any opportunity.

3. On advance service, learned State counsel appears and opposes the issuance of notice of motion.

4. I have heard learned counsel for the parties and gone through the case file.

5. *Ex facie* on the plain averments of the learned counsel for the petitioner, it transpires that there are disputed facts involved which led to the dispensing of the services of the petitioner. Not only that, *qua* the same very allegations, there is an FIR No.139 dated 02.08.2021, under Section 353 of IPC, registered at Police Station Sanoli, District Panipat against the petitioner, in which investigation is still at the preliminary stage. At this stage, the veracity thereof cannot be ascertained only by way of the affidavit through writ jurisdiction.

6. No grounds to interfere in the extraordinary writ jurisdiction is made out. Writ petition is disposed of with liberty to the petitioner to seek his alternative civil remedy as may be available otherwise and/ or, if advised.

(ARUN MONGA)
JUDGE

November 18, 2021

mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No