

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

**CWP No. 23792 of 2021**

**DATE OF DECISION :- November 24, 2021**

**Deepak Sharma**

**...Petitioner**

**Versus**

**The State of Haryana and another**

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE H.S. MADAAN**

**Present:-** Mr. Kartik Gupta, Advocate for the petitioner.

Mr. Sharad Aggarwal, AAG, Haryana.

**\*\*\***

Petitioner Deepak Sharma, presently working as Accountant with Haryana Agricultural Marketing Board, Market Committee, Raipur Rani, Panckula is feeling aggrieved by order dated 16.11.2021 passed by Chief Administrator, Haryana State Agricultural Marketing Board, Panchkula (Annexure P-17) vide which the petitioner has been placed under suspension obviously in contemplation of disciplinary action to be taken against him with regard to misconduct in the form of financial irregularities and indulging in corrupt practices. As it transpires from the record, allegations in that regard had been levelled against the petitioner regarding which the employer intends to conduct a probe. Every employee is expected to work with full dedication and not to indulge in any corrupt practice. If the employer receives any complaint with regard to employee indulging wrongful acts and practices such employer has got right to look into such allegations and if proved, to take suitable action against the employee. Full fledged procedure is provided under Haryana Civil Services (Punishment and Appeal) Rules, 2016 and other similar legislation's

applicable to Board and departments. Admittedly suspension is not a punishment. When a disciplinary action is contemplated against an employee and if the employer thinks that if the employee is allowed to remain on duty then he may try to tamper with the departmental evidence, then such employee may be placed under suspension. The employee cannot certainly get such type of orders put to judicial scrutiny because as per Service Rules every employer has got a right to act in such a manner. There is nothing to show that the petitioner has been placed under suspension with malice or for any extraneous reason. Therefore, the writ petition filed by the petitioner challenging the order of suspension cannot proceed further and is dismissed accordingly.

**(H.S. MADAAN)  
JUDGE**

**November 24, 2021**

*p.singh*

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No