

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

CWP NO. 25246 OF 2021

DATE OF DECISION: 16.12.2021

Naresh Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. N. K. Malhotra, Advocate,
for the petitioner.

Ms. Rajni Gupta, Addl. AG, Haryana.

(Presence marked through video conferencing).

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of certiorari for quashing impugned orders dated 01.12.2021 and 02.12.2021 (Annexures P-10 and P-11 respectively), vide which the petitioner has been suspended from the post of Driver and transferred from Rohtak to Jind.

2. Learned counsel for the petitioner submits that petitioner was working as driver with respondent No.4. Vide order dated 02.09.2021 passed by respondent No.2, petitioner was assigned additional duty at Jind office. Later on the said order was cancelled vide order dated 09.09.2021 (Annexure P-5). Meanwhile, respondent No.4 wrote a letter to respondent No.2 regarding non-compliance of order dated 02.09.2021 by the petitioner. Notice was issued to the petitioner and ultimately, vide impugned order dated 01.12.2021 (Annexure P-10) he was placed under

suspension. Vide another order dated 02.12.2021 (Annexure P-11), the petitioner was directed to join in the head office at Jind.

3. Learned State counsel, on advance service, joins the proceedings and opposes the issuance of notice of motion.

4. Having heard the counsel, I am of the view that the petition has been filed pre-maturely as the matter is already pending at very preliminary stage with the department.

5. In the premise, petition is disposed of with liberty to the petitioner to pursue his cause with the competent authority and take up the defense taken herein, before the authority, at appropriate stage in the contemplated/pending disciplinary proceedings.

6. Disposed of accordingly.

DECEMBER 16, 2021
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No