

ARVINDERJEET SINGH

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGAPresent: Mr. Aditya Gautam, Advocate
for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of *certiorari* quashing the impugned order dated 14.10.2021 (Annexure P-1), vide which, the petitioner has been placed under suspension on the basis of an Inquiry Report dated 05.07.2021 (Annexure P-2).

2. Learned counsel for the petitioner submits that the petitioner (a physician) was serving as a Food Safety Officer on deputation in the Food and Drug Control Administration, Haryana on 07.11.2020. The petitioner carried out an inspection at one particular shop i.e. Saini MisthanBhandar owned by Buli Ram S/o Telu Ram, situated at Khanda Mor, Narnaud, Hisar, from where, he took four samples of food items. Out of which one was 'loose Desi Ghee', memo of which was duly signed by shop owner (Food Business Operator). Learned counsel further submits that out of four samples, three samples were submitted by the petitioner to his senior designated officer on the next very day. One part was sent to the State Food Lab for further analysis. On 30.11.2020, the said sample was declared to be sub-standard and un-safe for human consumption. The petitioner thereafter sent a report to

the Food Business Operator, giving him an opportunity to get samples re-analysed within a period of 30 days. However, instead of getting his samples re-analysed, he submitted a representation to the Designated Officer on 27.01.2021 stating that the name of the product is not 'loose desi ghee' but is a 'Raag ghee'. Thereafter, an inquiry was conducted against the petitioner. Basis thereof (Inquiry Report dated 05.07.2021), he was placed under suspension. Learned counsel further submits that no charge sheet has been issued to the petitioner.

3. I have heard learned counsel for the petitioners.

4. The writ petition has been filed prematurely. Same is disposed of with the expectation that the competent authority shall proceed with the pending departmental proceedings, contemplated against the petitioner, as expeditiously as possible and conclude the same within a period of six months.

5. At this stage, learned counsel for the petitioner submits that even the subsistence allowance has not been paid to the petitioner till date, despite the fact that the impugned order of suspension was passed almost two months ago i.e. on 14.10.2021.

6. In the premise, the competent authority to forthwith do the needful, so as to disburse the subsistence allowance to the petitioner in accordance with law.

7. Disposed of accordingly.

(ARUN MONGA)
JUDGE

14.12.2021
gurpreet

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