

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

CWP-123-2022

Date of decision: 07.01.2022

Suresh Nehra

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Jagjeet Beniwal, Advocate,
for the petitioner.

Ms. Rajni Gupta, Additional A.G., Haryana.
(Presence marked through Video Conference)

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of mandamus directing the respondents to conclude the preliminary enquiry initiated against respondent No.5 for shortage of cash found on 24.09.2001 when he was on duty on Naraingarh-Chandigarh-Aligarh Route and for the other illegalities committed by him from time to time.

2. Learned counsel for the petitioner submits that petitioner and respondent No.5 were working in Haryana Roadways, Sub Depot Naraingarh, District Ambala. Respondent No.5 moved a false complaint against petitioner and some other employees to the then General Manager, Haryana Roadways, Ambala. After enquiry, all the employees were found to be innocent and the General Manager, Haryana Roadways, Ambala recommended that action be taken against respondent No.5 for moving false complaints.

3. Learned counsel further submits that on 24.09.2020 petitioner came to know that respondent No.5 embezzled an amount of Rs.17,000/- approximately in the year 2001 but no action has been taken against him and

even after passing of more than 20 years, matter was not concluded. Thereafter, petitioner moved a complaint on 24.05.2021. On the complaint of the petitioner, preliminary inquiry was initiated against respondent No.5. Traffic Manager, Haryana Roadways, Ambala was appointed as an Inquiry officer. He further submits that since the initiation of preliminary inquiry, the petitioner has been called on various occasions being complainant. But the same has not been concluded.

4. Learned counsel for the petitioner submits that qua his aforesaid grievance, petitioner submitted an application dated 24.06.2021 (Annexure P-7) under RTI to get the information about the shortage of money embezzled by respondent No.5. However, the respondent-Department did not supply the requisite information on the ground that the information sought is of personal in nature, which is exempted under RTI Act. Hence, the instant petition.

5. Facts pleaded in the petition *ex facie* reflect that competent authority/office has already started the enquiry proceedings by appointing an Enquiry Officer. Inquiry against respondent No.5 is still going on and in view thereof, no grounds are made out to interfere.

6. Instant writ petition is disposed of. However, it is expected of the competent authority to conclude the pending departmental proceedings expeditiously.

07.01.2022
Vandana/vs

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No