

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

**CWP-13134-2000 (O&M)**

**Date of decision: May 24, 2022**

Pawan Kumar

.....Petitioner

versus

State of Haryana and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN MONGA**

**Present:** None for the petitioner.

Mr. R.D. Sharma, DAG Haryana.

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**ARUN MONGA, J. (ORAL)**

Petition was filed in the year 2000, *inter alia*, for issuance of a writ in the nature of Certiorari for quashing impugned order dated 06.07.2000 (Annexure P-8), and further for quashing the impugned charge sheet dated 16.07.1996 (Annexure P-1).

2. Petition was admitted for hearing on 14.03.2002.

3. When taken up for final adjudication, there is no representation on behalf of the petitioner. It seems that by sheer effluxion of time and pendency of the writ petition for more than 21 years before this Court, either it has been rendered infructuous or even otherwise the petitioner seems to have lost interest in pursuing the same.

4. In any case, from perusal of record/pleadings, it appears that even on merits, claim of the petitioner is not admissible. Reference may in particular be had to the stand taken in Para-3 of the reply on merits of the reply filed by respondents No.1 and 2.

5. Learned State counsel has canvassed arguments on similar lines as per defense taken in the written statement.

6. I am in agreement with the stand taken by the respondents. Neither any replication has been filed to the afore-noted stand of the respondents nor any additional affidavit of any kind to controvert the same.

7. The defense taken in the written statement is that on receipt of a D.O. letter dated 28.08.1995 from Sh. M.S. Lather, District Food & Supplies Controller, Bhiwani regarding misbehavior of the petitioner, a charge-sheet under Rule 7 of the Haryana Civil Services (Punishment and Appeal Rules, 1987 was issued against him containing three charges. Petitioner submitted his detailed reply pleading innocent. Reply was considered by the competent authority. In order to aspect the delinquency of the petitioner as alleged against him per charge-sheet, an enquiry officer was appointed who rendered his report dated 23.04.1999 whereby the petitioner was inducted *qua* charges No.1 and 3 partly and *qua* charge No.2 fully leveled against him. Subsequently a show-cause notice was issued and the copy of enquiry report was also given to the petitioner eventually leading to awarding of punishment of stoppage of four annual increments with cumulative effect. To be noted that it is not a case where the punishing authority did not apply its mind as is borne out from the record, since originally the show-cause notice issued to the petitioner was for stoppage of four increments with cumulative effect, but after considering the reply of the petitioner to the show-cause and after duly granting him personal hearing, a lenient view was taken and the proposed punishment was reduced merely to two increments with cumulative effect. In the overall premise, I see no irregularity of any kind committed by the competent authorities in passing the impugned order which requires any judicial intervention. The same is accordingly, upheld.

8. In view of the aforesaid, no grounds are made out to interfere.
9. Dismissed.

**(ARUN MONGA)**  
**JUDGE**

**May 24, 2022**  
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No