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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-16759-2001 (O&M)

Date of decision: August 31, 2022

D.P. Yadav

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioner.

Mr. R.D. Sharma, DAG 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 08.05.2000 (Annexure P-11) whereby punishment of stoppage of one increment without cumulative effect, has been imposed on the petitioner.

2. Petition was admitted for hearing in the year 2001. On case being called out, none has appeared for the petitioner.

3. 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 a perusal of record/pleadings, it appears that even on merits, claim of the petitioner is not admissible. Reference may be had in particular to the stand taken in Paras- 4 and 5 of the preliminary objection of the written statement filed on behalf of the respondents No. 1 to 3 and the same read as under:-

“4. That the contents of para 4 of the writ petition are wrong and hence denied. It is submitted that the letter dated 30.12.1996 of the petitioner was received by the Respondent No.2. The petitioner had visited the office of respondent No. 3 on 20.4.97. He was offered to inspect the relevant record by Sh.Sunil Kapoor, Hydrologist, Sh.Mohinder Singh Hooda, Deputy Superintendent and Sh.Vinod Kumar Gupta, Assistant, but the petitioner did not inspect any record deliberately. Respondents No.2 was also informed in this regards by respondent No.3 vide his memo. NO. 21474-75/E-1(3) dated 30.5.97 (Annexure R-2).

5. That the contents of para 5 of the writ petition are totally wrong and hence denied. It is submitted that the petitioner was offered for inspection all the relevant record related to the charge sheet on 5.3.97 as stated in para 3 supra of this written statement. It is further submitted that the petitioner visited the office of Respondent No.3 again on 20.4.97 and he was offered to inspect the said record, but he did not inspect the same as stated in para 4 supra of this written statement.

5. Learned State Counsel has canvassed arguments on similar lines as the stand 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. In the overall premise, I see no irregularity of any kind committed by the Department as to warrant any judicial intervention of this Court.
8. In view of the aforesaid, no grounds are made out to interfere.
9. Dismissed.

(ARUN MONGA)
JUDGE

August 31, 2022
monika

Whether speaking/reasoned:Yes/No

Whether reportable:Yes/No