

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

114

CWP-6243-2022

Date of Decision: 03.8.2022.

Parvesh Kumar

....Petitioner.

Versus

State of Haryana and another

....Respondents.

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Bhupinder Ghai, Advocate for the petitioner.

Jaishree Thakur, J. (Oral)

The petitioner herein, by filing the instant writ petition is seeking direction to respondent No.2 to decide his representation dated 21.02.2022 (Annexure P4).

Learned counsel appearing on behalf of the petitioner herein would contend that instead of holding a preliminary enquiry being initiated against the petitioner in the first instance, a regular departmental enquiry has been initiated against the petitioner, which is not permissible under law. In support of his submissions, he would rely upon the judgments passed by the Supreme Court in Champaklal Chimanlal Shah v. Union of India, AIR 1964 SC 1854 and Nirmala J. Jhala v. State of Gujarat, (2013)4 SCC 301. It is further submitted that in fact against the impugned order, the petitioner has already approached the authorities concerned vide his representation dated 21.02.2022, but till date no decision has been taken

thereon. He would submit that at this stage, the petitioner would be satisfied in case said representation is decided, in accordance with law, in a time bound manner.

Notice of motion.

At this stage, Mr. Tapan Kumar Yadav, Deputy Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents and submits that the respondents will look into the matter and will take a decision on the representation of the petitioner.

Let sufficient number of copies of the complete paper book be supplied to him during the course of day.

Without commenting on merits of the case, the present petition is disposed of with a direction to the respondents to decide representation dated 21.02.2022 (Annexure P-4) of the petitioner within a period of six weeks from the date of receipt of certified copy of this order, in accordance with law and convey the decision to the petitioner. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

(JAISHREE THAKUR)
JUDGE

03.08.2022

komal

Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No