

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

CWP-7050-2022

Date of decision: 04.04.2022

SADHU RAM

...Petitioner

V/S

STATE OF HARYANA AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Sandeep Lather, Advocate,
For the petitioner.

Ms. Kirti Singh D.A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petitioner working as Inspector in Haryana Roadways, is aggrieved against his suspension order, inquiry report and show cause notice for stoppage of three annual increments with cumulative effect.

2. Petitioner being patient of diabetes applied for earned leave from 15.02.2021 to 01.03.2021 but his application was rejected by respondent No.3/General Manager, Haryana Roadways, Palwal Depot. Allegedly, respondent No.3 made a false complaint to respondent No.2 that wife of the petitioner approached him for earned leave on 22.02.2021 and misbehaved with him and also threatened to file false case against him. On the basis of the said complaint, the impugned suspension order dated 09.03.2021 (Annexure P-11) has been passed followed by initiation of inquiry and issuance of impugned show cause notice (Annexure P-16). Hence, the instant writ petition.

3. On advance service, learned State counsel appears and strenuously opposes the writ petition.

4. Having heard arguments for some time, I am not inclined to entertain the writ petition, as the disciplinary proceedings are still at very

nascent stage. Writ petition assailing the show cause notice is highly premature. Disputed facts cannot be decided in extraordinary writ jurisdiction. Dismissed with liberty to the petitioner to pursue his case before the competent authority.

5. Needless to say, the competent authority shall go through the defense/reply put forth by the petitioner in disciplinary proceedings in its entirety before passing final order.

04.04.2022
vandana

(ARUN MONGA)
JUDGE

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