

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

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CWP 10809 of 2019 (O&M)
Date of Decision: August 04, 2022

Prabha Shankar and another	Versus	...Petitioners
Food Corporation of India and others		... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Deepak Goyal, Advocate
for the petitioner.

Mr. Krishan Kumar Gupta, Advocate
for the respondent.

Ms. Harsimrat Rai, DAG, Punjab.

RAJBIR SEHRAWAT, J. (Oral)

Petitioners have filed the present civil writ petition under Articles 226/227 of the Constitution of India for issuance of writ in the nature of *mandamus* directing the respondents No. 1 to 3 not proceed with the departmental inquiry (Annexure P-2) during the pendency of criminal case bearing FIR No. 04 dated 26.05.2017 under Sections 7/13/(2) of Prevention of Corruption Act, 1988 registered at Police Station Vigilance Bureau Ferozepur Range, District Ferozepur.

It has been pointed out by the counsel for the respondents that the complainant and the shadow witnesses have already been examined. The said witnesses were cross-examined as well. Therefore, the petitioner has already resorted to the cross-examination of the main witness who happens to be the complainant. It will not be

in the interest of justice to stall the departmental proceedings any more on account of the pendency of the criminal case. Moreover, the standard of proof as required in the criminal case and as required in departmental proceedings are altogether different. There is only one common witness in the departmental proceedings and in the criminal cases. No complex question of law or facts are involved.

In view of the above, this Court does not find it appropriate to continue with the present petition any further. Finding no merits in the same, the petition is dismissed.

August 04, 2022
amit rana

(RAJBIR SEHRAWAT)
JUDGE

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