

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP-15349-2022

DATE OF DECISION: 19.07.2022

SHIVANI

... Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Robin Singh Hooda, Advocate for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the impugned order dated 06.07.2022 (Annexure P-10) whereby he has been relieved.

Learned counsel for the petitioner submits that the petitioner had been selected as a Clerk in response to the advertisement No.5 of 2019 issued by the respondents. He further contends that there were errors in the answer key and several unsuccessful candidates had approached this Court. This Court had directed the respondents to correct the errors and recast the result. It was also directed that in the event of candidates being displaced on the recast of the result they would be furnished show cause notice for 7 days and in the instant case petitioner was served show cause notice on 05.07.2022 and before she could furnish her reply, her services were terminated on 06.07.2022.

Issue notice to the respondents.

At the asking of the Court, Mr. Anant Kataria, DAG, Haryana accepts notice on behalf of the respondents.

Heard.

The petitioner ought to have been given a 7 days' notice in terms of the order of the Court but in the instant case, the respondents have issued

notice on 05.07.2022 and the very next day, the services of the petitioner were dispensed with. The impugned order is in violation of the principles of natural justice. The petitioner has not been heard although there was an order of the Court to this effect.

Consequently, the impugned order dated 06.07.2022 (Annexure P-10) is set aside *qua* the petitioner. The respondents would be at liberty to furnish a 7 day notice to the petitioner. The petitioner would furnish her reply to the show cause notice within a period of one week from now and respondent No.3 would consider the same and pass a speaking order in accordance with law.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

19.07.2022

SwarnjitS

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No