

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

119

CWP No.15587 of 2022

DATE OF DECISION : 21<sup>st</sup> July, 2022

**Gurminder Singh**

.... **Petitioner**

**Versus**

**Union of India through Secretary, Ministry of Home Affairs,  
Government of India, North Block, New Delhi & others**

.... **Respondents**

**CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT**

\* \* \* \*

Present : Mr. Nikhil Anand, Advocate for the petitioner.

\* \* \* \*

**RAJBIR SEHRAWAT, J. (Oral)**

The petitioner has filed this petition under Articles 226 & 227 of the Constitution of India, for issuance of a writ in the nature of certiorari for quashing the inquiry report dated 13.06.2022 (Annexure P-14) which has been issued by the inquiry officer totally contrary to the evidence on record wherein the inquiry officer despite the evidence/statements being in favour of the petitioner and despite making a conclusion in the favour of petitioner has concluded that the charges levelled against him stands proved; along with certain other prayers.

Notice of motion.

Mr. Indresh Goel, Sr. Panel Counsel, accepts notice on behalf of the respondents-UOI and pointed out that the final order has not even been passed by the punishing authority so far. Hence, the present petition is totally premature. Moreover, even if any order is passed by the disciplinary authority the same would be appealable under the statutory rules.

This aspect has not even been disputed by counsel for the petitioner.

Hence, it is obvious that the present petition is premature. The petitioner would be at liberty to raise all the legal and factual defences available to the petitioner, in accordance with law, before the disciplinary authority. The disciplinary authority would, obviously be bound to consider the same at the time of passing the order.

In view of the above, the present petition is dismissed as premature, at this stage.

**21<sup>st</sup> JULY, 2022**  
*‘raj’*

**(RAJBIR SEHRAWAT)**  
**JUDGE**

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|-----------------------------------|------------|-----------|
| <i>Whether speaking/reasoned:</i> | <i>Yes</i> | <i>No</i> |
| <i>Whether Reportable:</i>        | <i>Yes</i> | <i>No</i> |