

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

**CWP No.15550 OF 2022 (O&M)
DATE OF DECISION : 20.07.2022**

Meer Singh and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Vijay Kumar Sheoran, Advocate,
For the petitioners.

Mr. Pankaj Middha, Addl. AG, Haryana.

ARUN MONGA, J. (ORAL)

CM-10468-CWP-2022

Allowed, as prayed for.

MAIN CASE

Petitioners herein, *inter alia*, seek issuance of a writ in the nature of certiorari for quashing impugned order dated 11.07.2022 (Annexure P-1), whereby services of the petitioners have been suspended, based allegedly on a report, which is averred to be illegal.

2. Pledged case is that petitioner No.1 joined as Mali in the Forest Department, Haryana on 14.04.1993 and was promoted as Guard and then as Forester. Petitioner No.2 joined as Forest Guard in the same department on 15.07.2014. Both are regular employees of forest department, but suddenly their services were put under suspension vide impugned order dated 11.07.2022, without issuance of any show cause notice or granting an opportunity of hearing. Impugned order has been

passed on the basis of inquiry report dated 23.06.2022 (Annexure P-2) which was against another employee and not against the petitioners. Hence, the petition.

3. On advance service, learned State counsel appears and opposes issuance of notice of motion.

4. I have heard learned counsels for the parties and have gone through the case file carefully.

6. Prima-facie it appears that the petitioners have approached before this Court too prematurely . That apart, it is a settled position that mere suspension is not *per se* punitive in nature. That apart, in this case, the impugned suspension order was passed as recently as on 11.07.2022 and pursuant thereto, contemplated departmental action, if any, is still at a very nascent stage.

7. In the premise, the instant writ petition is disposed of with liberty to the petitioners to take up their entire defense, as taken herein, before the competent authority, who is expected to look into the same and proceed in accordance with law.

8. Disposed of.

JULY 20, 2022
Shalini

(ARUN MONGA)
JUDGE

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