

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

CWP NO. 20318 of 2022

DATE OF DECISION: 23.11.2022

Shivraj Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR.JUSTICE ARUN MONGA

Present : Mr. P. S. Jammu, Advocate,
for the petitioner.

Mr. Pankaj Middha, Addl. AG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of certiorari for setting aside impugned inquiry report dated 25.06.2020 (Annexure P-1) whereby departmental action has been recommended against the petitioner as well as impugned order dated 01.07.2022 (Annexure P-2), vide which his three annual increments with cumulative effect have been stopped. Further prayer has been made to promote the petitioner to the post of Kanungo as the same was postponed on account of departmental enquiry against him.

2. At the very outset, learned State counsel objects to the maintainability of the instant petition in view of statutory remedy of appeal having not been exhausted as per Rule 9 of the Haryana Civil Services (Punishment and Appeal) Rules, 2016.

3. Confronted with the said objection, learned counsel for the petitioner seeks to withdraw the present petition with liberty to avail alternative remedy, as may be availed to him under the law.

4. In the premise, the instant writ petition is dismissed as withdrawn with the aforesaid liberty.

5. However, it is made clear that on account of pendency of instant writ proceedings before this Court, the appeal shall not be dismissed on the ground of limitation.

NOVEMBER 23, 2022
Shalini

(ARUN MONGA)
JUDGE

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