

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

234

**CWP-9552-2017
Date of Order: 03.03.2022**

GURMEET SINGH

..Petitioner

Versus

STATE OF PUNJAB AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None for the petitioner.

Mr. Nikhil Chopra, Addl. A.G., Punjab.

ANIL KSHETARPAL, J(Oral)

On 04.05.2017, the following order was passed:-

“It is contended that the petitioner herein was given first extension in service vide Annexure P-1 and consequently a second extension in service was also granted to him which is due to come to an end in November, 2017. By the impugned order, the second extension given has been cancelled on the ground that the State Government has decided to issue a chargesheet to him which would be based on the report of the Director, Bureau of Investigation, Punjab for his submission of a wrong enquiry report in FIR No. 248 dated 01.12.2010, under Sections 302/34 of the IPC.

It is contended that in the reading of the investigation held by the CBI in its report dated 22.03.2016 (Annexure P-10), it is one Sh. Gurmail Singh, the then SP (D), Moga who has been held guilty while further noting that sanction of prosecution had been obtained against him. It is pointed out that the name of the petitioner herein, i.e. Gurmeet Singh, is only reflected at Sr. No. 23 as a list of witness in the enquiry proceedings that were conducted. It is also contended that this enquiry report was available with the authorities concerned prior to granting him second extension. Moreover, any order withdrawing the benefit, that has already been given, ought to have been passed after giving the petitioner an opportunity of hearing. Notice of motion for 30.05.2017.

Notice regarding stay as well.

In the meantime, the petitioner be allowed to continue in service till the next date of hearing.”

The learned counsel representing the State of Punjab has submitted that the writ petition is rendered infructuous as the extension period of one year is already over.

Since, the learned counsel representing the petitioner is not present. Hence, the writ petition is dismissed for non-prosecution with liberty to the petitioner to file an application for revival within a period of one month.

All the pending miscellaneous applications, if any, are also disposed of.

March 03rd, 2022

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No