

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

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CWP-22502-2022

Date of Decision :28.09.2022

Devender Kumar and another**...Petitioners****Versus****State of Haryana and others****...Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Jasbir Mor, Advocate for the petitioners.

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Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance of the petitioners is that though, in the impugned order dated 01.09.2022 (Annexure P/14) passed by the respondents, it has been mentioned that the petitioners be given show cause notice of 15 days so as to explain their position as to why their services should not be terminated but in the last paragraph of the said order, it has been mentioned that services should be terminated and office be informed about the same, which shows that the notices are given with the predetermined mind to terminate the services of the petitioners, which is contrary to the settled principle of law.

Notice of motion.

Mr. R.S. Budhwar, Addl. A.G. Haryana, who is present in Court, accepts notice on behalf of respondent-State.

Learned State counsel submits that order dated 01.09.2022 passed by the respondents, is not happily worded but the intention of the

department is to give appropriate show cause notice to the employees concerned to be decided with open mind hence, as and when the show cause notice is issued to the petitioners, the objections raised by the petitioners in their reply will be considered in accordance with law without any predetermined motive and thereafter, an appropriate order, needed on the issue will be passed.

Learned counsel for the petitioners submits that keeping in view the statement of the learned State counsel, no grievance of the petitioners survives in the present petition as no order causing prejudice to the petitioners has been passed by the respondents so far and apprehension of the petitioners has been clarified by the learned counsel for the respondents hence, the present petition may be disposed off having been not pressed any further.

Ordered accordingly.

It is directed that no coercive action will be taken against the petitioners till the appropriate order is passed by the respondents.

September 28, 2022

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No