

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

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CWP-23856-2022

Date of decision : 17.10.2022

Sonia

... Petitioner

Versus

Haryana Electricity Regulatory Commission and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Naveen Kumar, Advocate for the petitioner.

Anupinder Singh Grewal, J. (Oral)

Learned counsel for the petitioner, *inter alia*, submits that the petitioner is being proceeded against on the allegations that she had filed a vexatious and anonymous complaint against her seniors. He, however, submits that the petitioner has not been granted adequate opportunity by the Enquiry Officer inasmuch as she has not been allowed to get specimen of her handwriting be examined by an expert in support of her case that the handwriting on the envelope containing the anonymous letter is not hers. She has also not been given an opportunity to cross-examine the private handwriting expert examined by the Enquiry Officer. He also submits that the specimen handwriting on the complaint should have been examined from FSL, Madhuban.

Issue notice to the respondents.

Mr. Sanjiv Kaushik, Advocate has put in appearance on behalf of the respondents and submits that the Enquiry Officer is on the verge of completing the enquiry but the petitioner has been trying to delay the completion of enquiry on one pretext or the other. He also submits that to allay the apprehension of the petitioner, he has no objection if this Court directs the

FSL to opine on the specimen handwriting on the complaint, envelope etc. after comparing the specimen handwriting of the petitioner.

Heard.

There seems to be merit in the contentions of the counsel for the petitioner as the petitioner, who is facing departmental proceedings for major penalty under Rule 7 of the Haryana Civil Services (Punishment and Appeal) Rules, 2016, ought to have been granted adequate opportunity to defend herself. It would be in conformity with the principles of natural justice that the petitioner is granted adequate opportunity to present her case before the enquiry officer. It would also be in the interest of justice if the handwriting on the envelope, complaint etc. is compared with the specimen handwriting of the petitioner by a Government Forensic Laboratory.

Consequently, the petition is disposed of with a direction to the Enquiry Officer to get the specimen on the complaint, envelope etc. compared with the specimen handwriting of the petitioner from FSL, Madhuban forthwith. The FSL, Madhuban would send its report within a month of receipt of the specimens. A copy of the report of the FSL would be furnished to the petitioner and she would be granted thirty days thereafter to rebut the same and produce other evidence in support of her defence. The Enquiry officer would conclude the enquiry within a period of three months from now.

(ANUPINDER SINGH GREWAL)
JUDGE

October 17, 2022

sonia gugnani

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No