

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

(108)

CWP-1033-2023

Date of decision : 19.01.2023

Devi Datt

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ajay Kamboj, Advocate for the petitioner.

...

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Article 226/227 of the Constitution of India seeking issuance of a writ in the nature of certiorari setting aside impugned show cause notice dated 29.11.2022, Annexure P-7, issued by respondent No.5, whereby, 3 months show cause notice has been served upon the petitioner under Rule 145 of the Haryana Civil Services (General) Rules, 2016, prematurely retiring him from service. A further prayer has been made that show cause notice, Annexure P-7, be dropped and the petitioner be allowed to continue in service till superannuation.

Counsel for the petitioner submits that in pursuance to the show cause notice, Annexure P-7, petitioner has submitted a representation dated 02.12.2022, Annexure P-8, to respondent No.2 within the time granted in Annexure P-7. Counsel submits that the representation, Annexure P-8, is pending and has not been attended to. He submits that the petitioner would be satisfied in case a direction is issued to the respondent concerned to examine the representation, Annexure P-8, prior to taking any final decision.

Notice of motion.

On asking of the Court, Mr. Pankaj Middha, Additional Advocate General, Haryana, accepts notice on behalf of the respondents.

Given the nature of order being passed, this Court does not deem it necessary to call for a response from the respondent.

Having heard counsel for the parties, but without commenting upon the grievance raised, writ petition is disposed of with a direction to the respondent No.2, Divisional Commissioner, Hisar, to examine the representation, Annexure P-8, before passing final order pursuant to show cause notice, Annexure P-7.

(SUVIR SEHGAL)
JUDGE

19.01.2023
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No