

113.

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

CWP-2486-2023

Date of Decision: 16.02.2023

BABU LAL KHATI

.... Petitioner

Versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Shailendra Sharma, Advocate,
for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

Mr. Arvind Seth, Advocate,
for respondents No.2 to 5.

JAISHREE THAKUR.J (Oral)

The present writ petition has been filed for issuance of a writ in the nature of certiorari for quashing the office order dated 12.12.2022, Annexure P-1, as issued by respondent No.2 whereby Inquiry Officer has been appointed contrary to the instructions issued on 15.03.2022, Annexure P-3.

Learned counsel appearing on behalf of the petitioner would contend that the Inquiry Officer so appointed is of 84 years of age and, therefore, his very appointment is in violation of the instructions Annexure P-3, which clearly specifies that the maximum age of the Inquiry Officer should not be more than 70 years. It is submitted that in this respect, his representation also stands rejected.

Pursuant to the notice of motion having been issued, Mr. Arvind Seth, counsel appearing on behalf of respondents No.2 to 5, has furnished office order dated 14.02.2023, which is taken on record. The said office order would read that the appointment in favour of Mr. R.P. Bhasin, District & Sessions Judge (Retired), who was initially appointed, stands withdrawn and Shri M.K. Midha, IAS (Retired), has now been appointed as Inquiry Officer to hold a departmental inquiry under Rule 7(A)(2) of the Haryana Civil Services (Punishment & Appeal) Rules, 2016 against the petitioner.

In view of the said office order whereby a fresh Inquiry Officer has been appointed, the present writ petition is rendered infructuous and dismissed as such.

(JAISHREE THAKUR)
JUDGE

16.02.2023

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No