

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

CWP-3398-2023 (O&M)

Date of decision: 20.02.2023

Balwinder Singh

....Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Sameer Sachdeva, Advocate for the petitioner
Mr. Vikas Arora, DAG, Punjab
Mr. Inderesh Goel, Advocate for respondent no.4

ANIL KSHETARPAL, J (Oral)

The petitioner prays for issuance of a writ in the nature of Certiorari to quash his suspension order. The order has been passed during the pendency of a departmental inquiry in which charge-sheet has already been issued. The memorandum of charges reads as under:-

“1. You took action for starting a new course (MA English) in the college without the approval of the department. Besides this, you by violating the protocol and by-passing the directorate, you sent request letter to the M.L.A for starting the MA English) course in the College.

2. You, at your own level discontinued the PGDCA Course in the college and did not admit the children in this session.

3. You got construction and renovation work of chemistry lab done in the college without taking the approval of the government.

4. You got constructed a new room in the ground in front of Principal room without taking the approval of the government.

5. You got construction and renovation work done for the extension of the college library building without taking the approval of the government.

6. You took steps for installing a new AC in the principal room as well as in the bursar room without taking government approval.

7. You sold the old college equipment in junk without the approval of the government.”

The learned counsel representing the petitioner contends that there is no substance in the charges and he is being harassed only because he filed a writ petition challenging his transfer order. He submits that the petitioner is due to attain the age of superannuation on 30.04.2023.

On reading of the order dated 15.01.2023, passed by the Principal Secretary, Government of Punjab, it is evident that while appointing the inquiry officer, directions have been issued to complete the inquiry within a period of one month.

This Court has considered the submissions of the learned counsel representing the parties.

At this stage, it would not be appropriate for the Court to intervene in the exercise of its extraordinary jurisdiction. However, since the petitioner is due to retire in April, 2023, therefore, the inquiry officer is directed to complete the inquiry before 15.04.2023, positively, so as to enable the competent authority to pass an appropriate order forthwith.

Disposed of.

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

20.02.2023

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE