

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

LPA-280-2023 (O&M)
Date of decision:- 18.05.2023

Navdeep Singh

...Appellant(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. D.S. Patwalia, Senior Advocate,
with Mr. Kanan Malik, Advocate,
for the appellant.

Mr. Arjun Sheoran, Deputy Advocate General, Punjab.

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RAVI SHANKER JHA, C.J. (ORAL)

This appeal has been directed against the judgement and order dated 09.02.2023 passed by the learned Single Judge dismissing the writ petition filed by the petitioner (appellant herein).

The respondents have placed on record an order dated 17.05.2023 passed by the Principal Secretary to Government of Punjab, Department of Water Resources which is taken on record and marked as Annexure 'X'.

A perusal of the said order indicates that the concerned authority has now changed the inquiry officer, namely, Sh. B.R. Bansal, retired Additional Sessions Judge and Sh. Rakesh Kumar Karel, Chief Engineer (Headquarter) has now been appointed as an inquiry officer with a direction to complete the inquiry positively within a period of two months strictly in accordance with the procedure contained in Rule 9 of the Punjab Civil Services (Punishment & Appeal) Rules, 1970.

In view of the aforesaid, the issue raised by the appellant regarding competence of the previously appointed inquiry officer stands mitigated.

Learned senior counsel for the appellant submits that in such circumstances, the appeal may be disposed of with liberty to the appellant to take up all defences available to him with a direction to the inquiry officer now appointed to proceed ahead without being influenced by the previous orders or proceedings taken up by the previously appointed inquiry officer.

Learned State counsel submits that the new inquiry officer will deal with the matter without being influenced by the previous orders or proceedings taken up by the previously appointed inquiry officer.

In the circumstances, without going into the merits of the case and taking the submissions of learned counsel for the parties on record and in terms thereof, the appeal stands disposed of with the aforesaid liberty.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

18.05.2023
Amodh Sharma

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No