

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

Date of decision : 24.03.2023
CWP-6991-2021

Gurjit SinghPetitioner

Versus

State of Punjab and others ...Respondents

CWP-4995-2022

Mool RajPetitioner

Versus

State of Punjab and others ...Respondents

CWP-23025-2022

Avtar SinghPetitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Tara Dutt, Advocate for Mr. Akshay Chadha, Advocate
for the petitioner in CWP-6991-2021.

None for the petitioner in CWP-4995-2022.

Mr. R.S. Bajaj, Advocate
for the petitioner in CWP-23025-2022.

Mr. Inderpreet S. Kang, Asstt. Advocate General, Punjab
Mr. Jatinder Pal Singh, Asstt. Civil Suit Clerk,
PS Ludhiana.

PANKAJ JAIN, J. (ORAL)

On 2nd of May, 2022 (in CWP-6991-2021) the following order

was passed :-

“Counsel for the respondent-State seeks time to file reply.

Adjourned to 23.11.2022.

Reply be filed by then with a copy in advance to the counsel
opposite.

Order dated 28.04.2021 whereby the departmental proceedings have been ordered to be stayed is modified to the extent that in the meantime, the department is permitted to carry on with the enquiry proceedings without recording evidence of common witnesses as cited in the criminal trial.”

Today Mr. Kang submits that even though the interim order was modified. However department has taken a conscious decision to await the decision of criminal trial on the strength of legal opinion of District Attorney (Legal), Ludhiana wherein it was opined as under :-

“XXXX

I have gone through the report of the inquiry officer who has recommended to stay the departmental proceedings, in view of the order passed by Hon'ble Punjab and Haryana High court. As the departmental inquiry can not be concluded without recording the statement of witnesses who are witnesses of criminal trail also. I agree with the inquiry officer keeping in view the order of Punjab and Haryana High court, the departmental proceedings may be stayed.”

In view of the above, once the department itself has taken a conscious decision to await the decision of criminal trial, present writ petitions have been rendered infructuous.

Ordered accordingly.

A copy of this order be kept on the files of other connected cases.

March 24, 2023

Dpr

(PANKAJ JAIN)
JUDGE

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