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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-8949-1997 (O&M)

Date of Decision: 31.10.2023

JASWANT SINGH

.....Petitioner

V/s.

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA.

Present Mr. Vipin Mahajan, Advocate,
for the petitioner.

Mr. D.K. Singal, Addl. A.G., Punjab.

SANJEEV PRAKASH SHARMA, J (Oral)

1. The petitioner by way of this Writ Petition has prayed for issuance of a Writ of *certiorari* for quashing the charge sheet dated 02.08.1996 (Annexure P-5) and to grant the petitioner all consequential benefits.

2. Learned counsel appearing on behalf of the petitioner submits that the counsel who was representing the petitioner in this case has expired 3-4 years ago and it has been further informed that no new counsel has been engaged by the petitioner.

3. It is noticed that an interim order dated 27.01.1998 passed by this Court whereby further enquiry against the petitioner was stayed.

4. Reply has been filed on behalf of the respondents wherein it is informed that there is a charge-sheet issued to the petitioner with regard to the shortage of wheat relating to the crop year 1983-84 and 1985-8 and there is also another charge-sheet issued to the petitioner relating to damage of wheat stock.

5. Initiating of departmental enquiry against a delinquent employee ought to reach to its final conclusion. There is no allegation of malafide, nor is it a case where the charge-sheet had been issued by an incompetent authority. In view thereof, the stay order dated 27.01.1998 passed by this Court is vacated and the Writ Petition is **dismissed**.

6. The petitioner shall be free to take up all his arguments before the concerned Enquiry Officer.

7. The State authorities would be free to take a decision on the reply filed by the petitioner and will not be prejudiced on account of the dismissal of this Writ Petition.

8. All pending applications filed in this Writ Petition shall stand disposed of.

October 31, 2023

Ess Kay

[SANJEEV PRAKASH SHARMA]

JUDGE

Whether speaking / reasoned : *Yes/No.*

Whether Reportable : *Yes/No*