

255(7)

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

CWP-7212-2020

Date of decision: 14.11.2023

Yashbir

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Dr. Suresh Kumar Redhu, Advocate for the petitioner.

Ms. Palika Monga, DAG, Haryana
for the respondents.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the order dated 10.12.2018 (Annexure P-2) vide which the Superintendent of Police, Rohtak has initiated the departmental enquiry against the petitioner as he had been implicated in a criminal case FIR No.763 dated 03.12.2018 under Section 7/13 of the Prevention of Corruption Act, 1988 at Police Station City Rohtak.

2. Learned State Counsel has pointed out that in para 1 of the preliminary submissions, it has been submitted that on 18.11.2019, the petitioner had submitted his written statement in reply to charges served upon him and in the departmental enquiry, the Enquiry Officer has

examined prosecution witnesses i.e., PW1 to PW8, defence witness i.e., DW1 and found the petitioner guilty of the charges levelled against him and submitted his report on 25.02.2020 and even the show cause notice has been issued to the petitioner dated 04.03.2020 to which the petitioner had filed his reply on 19.03.2020 and thus, the present writ petition has been rendered infructuous.

3. Learned counsel for the petitioner has submitted that the present writ petition may kindly be disposed of as having been rendered infructuous but liberty be granted to the petitioner to raise all the pleas as are available to him during the course of departmental proceedings.

4. In view of the above, the present Civil Writ Petition is disposed of as having been rendered infructuous.

5. Liberty is however granted to the petitioner to raise all the pleas as are available to him during the course of departmental proceedings.

14.11.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No