

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-7140-2023

Date of decision: 11.04.2023

Pawan Kumar

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Govind Chauhan, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

The present petition has been filed for issuance of directions to the official respondents to conduct a fair and impartial inquiry in the complaint dated 21.01.2023 (Annexure P-1) by transferring the same to some independent authority.

At the outset, irrespective of the pleas raised in the petition, learned counsel for the petitioner restricts his arguments to the very short time given to him to respond to the show cause notice. He submits that while issuing the show cause notice dated 06.04.2023 (Annexure P-12), only 04 days' time was granted to the petitioner to respond to the same and to appear in person, whereas as per law, at least 15 days' time was required to be given to the petitioner to respond to the show cause notice and to appear in person. Learned counsel for the petitioner contends that subsequent to the show cause notice, termination order qua the petitioner has not been passed till date.

Notice of motion.

On the asking of this Court, Mr. R.S.Budhwar, Addl. A.G.

Haryana, accepts notice on behalf of the respondents-State, and submits

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that serious allegations of sexual harassment and mental torture have been levelled by the girl students against the petitioner; that the inquiry has been conducted in a proper manner and that thereafter, show cause notice dated 06.04.2023 (Annexure P-12) has been issued, in accordance with law.

I have heard the learned counsel for the parties.

A perusal of the record would show that only 04 days' time was granted to the petitioner to respond to the show cause notice and to appear in person. However at least 15 days' time is required to be granted to the petitioner to respond to the show cause notice.

In view of the above, the present petition is disposed of with a direction that in case the termination order has not been passed qua the petitioner, respondent No.3 shall issue a fresh show cause notice to the petitioner, at least granting him 15 days' time to respond to the same and to appear for personal hearing.

11.04.2023

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No