

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

CWP-10113-2023

Date of decision : May 10, 2023

Manish Garg

..... Petitioners

Versus

The Punjab Agro Industries Corporation and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :-Mr. Shiv Kumar , Advocate
for the petitioners.

Mr. Anupam Singla, Advocate
for the respondents.

PANKAJ JAIN, J. (ORAL)

1. By way of present writ petition the petitioner seeks a writ in the nature of certiorari for setting aside the show cause notice dated 13.01.2023.(Annexure P-10) and order dated 24.04.2023 (Annexure P-12) whereby the petitioner has been ordered to appear before the enquiry officer.

2. The petitioner herein was earlier chargesheeted vide Memo dated 15.10.2015 (Annexure P-1) which was dropped vide order dated 22.07.2016

(Annexure P-7). However, after more than six years he has been served with a fresh show cause notice dated 13.01.2023 (Annexure P-10) stemming out of the alleged proceedings before the sub committee of Punjab Vidhan Sabha based upon the thematic audit conducted by Audit General, Punjab.

3. The petitioner responded to the said show cause notice vide letter dated 10.02.2003 (Annexure P-11). Vide the fact finding enquiry dated 24.04.2023 (Annexure P-12) the petitioner has been ordered to appear before the enquiry officer.

4. On advance notice, learned counsel for the respondents has put in appearance. He is not in a position to show from the fact finding enquiry dated 24.04.2023 (Annexure P-12) that the reply filed by the petitioner to the show cause notice dated 13.01.2023 (Annexure P-10) was considered.

5. In view of the above, he submits that the respondents shall pass order a fresh after considering all the pleas raised by the petitioner including that of the the fact finding enquiry amounting to double jeopardy and shall also address the question as to whether the authority has power to review the earlier decision of dropping the charges or not.

6. Learned counsel for the petitioner submits his satisfaction to the aforesaid.

7. Present writ petition stands disposed off with liberty to the petitioner to respond to the show cause notice dated 13.01.2023 (Annexure P-10)

a fresh upto 31.05.2023. Thereafter the respondents shall take a decision a fresh after considering the response filed by the petitioner in accordance with law.

May 10, 2023
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(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable :	No