

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-12360-2023

Date of decision:01.06.2023

Neha Garg

...Petitioner

V/s.

Union of India and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Vikas Lochab, Advocate
for the petitioner.

Ritu Bahri, J. (Oral).

The grievance of the petitioner is that notice under Section 148A was given to her on 29.03.2023 (Annexure P-1) and the time to file reply was till 10.04.2023. However, notice under Section 148 (Annexure P-2) has been passed on 31.03.2023.

Notice of motion.

Ms. Pridhi Jaswinder Sandhu, Junior Standing Counsel accepts notice on behalf of respondents No. 2 and 3.

A perusal of the notice dated 29.03.2023 (Annexure P-1) shows that time to file reply to the petitioner was given on or before 10.04.2023 and before expiry of this period, notice under Section 148 (Annexure P-2) has been passed on 31.03.2023. Hence, the principles of natural justice have been violated.

Writ petition is allowed. Notice dated 31.03.2023 (Annexure P-2) is set aside and the matter is remanded back to the competent authority

to pass appropriate order in accordance with law after giving 10 days' time
to the petitioner to file reply.

(RITU BAHRI)
JUDGE

(MANISHA BATRA)
JUDGE

01.06.2023
Divyanshi

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