

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

2023:PHHC:081705

CWP-13248-2023

Date of Decision: 07.06.2023

Gursharanjit Singh

. . . . Petitioner

Vs.

State of Punjab and others

. . . . Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present Mr. Manpreet Singh Dua, Advocate
for the petitioner.

SANJAY VASHISTH, J.(Oral)

1. Petitioner-Gursharanjit Singh, who is posted as constable working in the Punjab Police has filed the instant petition for seeking quashing of the impugned notice No.9438/Establishment-5 dated 30.05.2023 (Annexure P-1) issued by respondent No.3 i.e. Additional Director General of Police, Intelligence, Punjab, Punjab Police Head Quarter (Intelligence), Sohana, SAS Nagar, Mohali.

2. Counsel submits that the impugned show cause notice dated 30.05.2023, vide which the petitioner has been afforded 10 days time to respond, is only a formality because the mind/decision of the respondents is reflected from the said notice in paragraph 3 itself which says as under:

“3. Being a member of a disciplinary force, finding such allegation against you is violation of Employee Code of Conduct, which is reprehensible and punishable.”

3. Thus, counsel submits that from such show cause notice, defence of the petitioner gets prejudiced.

4. Without making any comment over the submission made by the counsel for the petitioner or on the clause/para of the impugned show cause notice, present petition is disposed of with the direction to respondent No.3 to consider his defence, if any, submitted by him within the stipulated time (including the extended period, if any) and then to consider the same before taking any decision.

5. With the aforementioned observation, present petition is disposed of.

(SANJAY VASHISTH)
JUDGE

June 07, 2023

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1. *Whether speaking/reasoned?*

Yes/No

2. *Whether reportable?*

Yes/No