

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

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CWP No.17481 of 2019

Date of decision: 03.02.2023

DAVINDER KUMAR MALIK AND ANOTHER

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM : HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Sunil Kumar Nehra, Advocate
for the petitioners.

Mr. Naveen Singh Panwar, DAG, Haryana.

Mr. Arvind Seth, Advocate
for respondent Nos. 2 & 3.

RAJ MOHAN SINGH , J.(ORAL)

The Petitioners have preferred this writ petition for the issuance of an appropriate writ in the nature of certiorari quashing the impugned recommendations of the District Redressal Committee, Panipat dated 28.06.2019 vide which the recommendations were given to suspend the petitioners.

Learned counsel for the petitioners submits that the District Redressal Committee has no sanctity in the eyes of law to recommend suspension of the petitioners. The issue has already been considered by this Court in CWP No.12263 of 2018 and other connected cases. The petitioners therein were

serving officers/officials in the various departments.

Notice of motion was issued on 02.07.2019 by passing the following order:-

“Inter alia contends that District Grievance Redressal Committee which has no sanctity in the eyes of law recommended the suspension of the petitioners and vide identical writ petitions, aggrieved person approached this Court wherein notice of motion has been issued and one of the writ petition i.e. CWP No.14272 of 2018, on the statement made by State Counsel has been disposed of, on 01.06.2018 (Annexure P-10).

Notice of motion.

On asking of Court, Ms. Palika Monga, Deputy Advocate General, Haryana accepts notice on behalf of respondents no.1 and 4 and Mr. Lokesh Sinhal, Advocate on behalf of respondents no.2 and 3 and seek time to file reply.

Service upon respondent no.5 is dispensed with.

Service is complete.

List on 18.07.2019.

Mr. Nehra, Advocate submits that he will move an application for pre-ponement of other similar cases so that the same can be decided all together.

Interim order in the same terms as passed in CWP No.12263 of 2018 on 15.05.2018.

**(Amit Rawal)
Judge**

July 02, 2019”

Contesting respondent Nos. 3 and 4 have filed a short reply. Para No.4 of the reply reads as under:-

“4.That the HSVP without being influenced by the recommendations of the District Grievance Committee shall conduct a fact finding inquiry regarding the alleged misconduct committed by the petitioner and suitable action in accordance with law

shall be taken accordingly.”

Since, the contesting respondents have taken a specific stand that Haryana Shahari Vikas Pradhikaran (HSVP) shall conduct a fact finding inquiry regarding the alleged misconduct of the petitioners without being influenced by any recommendations made by the District Grievance Committee, therefore, this writ petition can be disposed of in the light of observations made in CWP No.12263 of 2018 that the Competent Authority would act against the present retired petitioners only in accordance with law without being influenced by any recommendations made by the District Grievance Committee in respect of any alleged misconduct of the petitioners.

This writ petition is disposed of.

03.02.2023

P.Bhatt

**(RAJ MOHAN SINGH)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No