

CWP-17247-2020

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2023:PHHC:088416

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-17247-2020

Date of decision : 14.07.2023

Dheeraj @ Dheeraj Gulia

... Petitioner

Versus

Pt.B.D. Sharma University of Health Science and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr. Ravinder Singh Dhull, Advocate
for the petitioner.

Mr.Nilesh Bhardwaj, Advocate
for the respondents.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of certiorari quashing the impugned inquiry report dated 25.07.2020 (Annexure P-3) vide which recommendation to suspend the petitioner has been made. Challenge is also the notice dated 25.07.2020 (Annexure P-5) vide which the petitioner has been rusticated from the university.

2. Learned counsel for respondents no.1 to 3 has submitted that since the petitioner has not been challaned in the criminal proceedings and there is a change of circumstances, thus, the case of the petitioner would be re-examined by the competent authority in view of the observations made in the impugned order. It is submitted that they have no objection if the impugned order dated 25.07.2022 (Annexure P-5) is set aside.

3. Keeping in view the above said facts and circumstances, the present petition is partly allowed and the order dated 25.07.2022 (Annexure P-5) is set aside and the competent authority is directed to pass a fresh order after hearing all the parties concerned including the complainant, in accordance with law.

4. It is made clear that this Court has not opined on the merits of the case and the competent authority would consider the case independently and decide the same afresh, in accordance with law.

(VIKAS BAHL)
JUDGE

July 14, 2023
Davinder Kumar

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