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

CM-11974-CWP-2023 in/and
CWP-15153-2023 (O&M)
Date of decision: 02.08.2023

Constable Krishan Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Jitender Malik, Advocate for the petitioner.

Ms. Palika Monga, DAG, Haryana, for respondent Nos.1 to 4.

VIKAS BAHL, J. (ORAL)

CM-11974-CWP-2023

1. This is an application filed under Section 151 of CPC for preponement of the date of hearing in the main case which is now stated to be listed for 14.09.2023 to an early date.

2. For the reasons stated in the application which is duly supported by an affidavit, the same is allowed and the date of hearing in the main case is preponed from 14.09.2023 to today and the same is taken on Board today itself for final disposal.

Main case

1. This is a Civil Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing of enquiry report dated 11.05.2015 (Annexure P-2), show cause notice dated 13.05.2015 (Annexure P-2/A), order dated 03.06.2015 (Annexure P-3), order dated 13.10.2015 (Annexure P-4), order dated 18.02.2016 (Annexure P-5), retirement notice dated 20.03.2023 (Annexure P-7) and order dated 20.06.2023

(Annexure P-8).

2. Learned counsel for the petitioner has submitted that the date on which the petitioner, as per the order dated 20.06.2023 is to prematurely retire is 31.08.2023 and thus, the petitioner has a limited prayer in the present writ petition, for direction to respondent No.4-Superintendent of Police to reconsider the entire matter, for which, the petitioner would give a detailed representation after annexing all the relevant documents and mentioning all the facts. It is further submitted that the representation would be submitted within a period of five days from today and has submitted that the Superintendent of Police-respondent No.4 be directed to consider the same prior to 31.08.2023.

3. Learned State Counsel has submitted that in case, the petitioner files a representation by 07.08.2023 then the same would be considered by respondent No.4 in accordance with law before 31.08.2023.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to respondent No.4 to consider the representation that would be submitted by the petitioner, before 31.08.2023, in accordance with law. In case, the petitioner does not submit a representation on or before 07.08.2023, then the present writ petition would be deemed to have been dismissed.

5. It is made clear that this Court has not opined on the merits of the case and it would be open to respondent No.4 to consider the case of the petitioner independently and in accordance with law.

6. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

02.08.2023

Pawan

(VIKAS BAHL)
JUDGE

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