

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-20589-2020
DECIDED ON:12th SEPTEMBER, 2023

SATBIR DAHIYA

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Mohnish Sharma, Advocate, for the petitioner.

Ms. Dimple Jain, DAG, Haryana.

Mr. Sanjeev Majra, Advocate, for respondents No. 2 to 9.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court under Articles 226/227 of the Constitution of India has been invoked for issuance of a writ in the nature of *Certiorari* for setting aside the impugned show cause notice dated 24.02.2011 (Annexure P-2), impugned charge-sheets dated 01.04.2013 & 24.08.2018 (Annexures P-4 and P-8 respectively), alleging the same to be in violation of Haryana State Electricity Board Employees (Punishment and Appeal) Regulation, 1990 and Haryana Civil Services (Pension) Rules, 2016.

2. Though, a written statement has been filed on behalf of respondents No.1 to 9 and replication to the same has also been filed by the counsel for the petitioner thereafter.

3. Today, during the course of hearing at the outset, learned counsel for the petitioner submits that the instant petition does not survive qua the charge-sheets dated 01.04.2013 and 24.08.2018

(Anneuxres P-4 and P-8) wherein final proceedings have been culminated and final orders have also been passed, which are under challenge by way of appeal before competent authority.

4. As far as the charge-sheet dated 01.04.2013 (Annexure P-4) is concerned, there seems to be an in-ordinate delay in conducting the proceedings but an attempt has been on behalf of respondents to justify the pendency of the same, in the light of the pendency of vigilance inquiry. In addition to above, respondents are not able to convince the Court to the fact that as to whether any relevancy to the charge sheet in question (P-4) with the pending vigilance inquiry.

5. Be that as it may, this Court cannot ignore and also sanguine of the fact that the charge-sheet is pending since 2013 and admittedly no final decision has been taken thereon.

6. Respondents are directed to conduct a regular departmental inquiry and dispose of the same by passing an appropriate order in accordance with law within a period of six months from the date of receipt of certified copy of this order.

7. In view of above, learned counsel for the petitioner submits that no other grievance is left with him and is satisfied with the afore-said direction. He wishes to withdraw the present petition.

8. Prayer is accepted.

9. Dismissed as withdrawn.

12th SEPTEMBER, 2023

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(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No