

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

CWP-19837-2023

Date of Decision : 06.09.2023

Sukhvinder Singh

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. D.S. Patwalia, Sr. Advocate with
Mr. A.S. Chadha, Advocate
for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Challenge in the petitioner is to the Show Cause notice dated 22.08.2023 (Annexure P-5) according to which explanation of the petitioner has been sought qua the Driving Licence which he submitted while seeking appointment.

Learned Senior counsel appearing on behalf of the petitioner submits that from the show cause notice (Annexure P-5), it is clear that the respondents have already made up their mind to terminate the services of the petitioner, though, in the show cause notice, the reply has been called for from the petitioner. He further submits that though it is mentioned in the impugned notice that the same is show cause notice but the language of the notice proves that respondents have already made up their mind to terminate the services of the petitioner.

Notice of motion.

On the asking of the Court, Mr. Pankaj Middha, Addl. A.G., Haryana, who is present in the Court, accepts notice on behalf of the respondents-State.

Learned counsel for the State submits that the present is only a show cause notice and whatever reply, the petitioner will submit qua the issue raised in the notice, same will be considered with open mind to decide, whether any action need to be taken against the petitioner or not.

Faced with this situation, learned Senior counsel for the petitioner submits that the petitioner will file an appropriate reply raising all the grounds/objections including factual aspects qua his driving licence including the objections available to them under law support that no action can be taken against the petitioner in pursuance to the said show cause notice (Annexure P-5). He further submits that the petitioner be given 10 days time starting from today to file the reply to the said show cause notice, which be considered by the respondents before arriving at any decision.

The present petition is disposed of with the direction to the respondents that in case any reply is filed by the petitioner within a period of 10 days starting from today, the same be considered in accordance with law and appropriate order be passed after considering such objection as raised by the petitioner in the show cause notice.

06.09.2023*ps-I***(HARSIMRAN SINGH SETHI)****JUDGE***Whether reasoned/speaking?**Yes**Whether reportable?**No*