

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

109

CWP No. 22394-2023 (O&M)
Decided on : 09.10.2023

Dr. Rajiv Kumar @ Dr. Rajeev Kumar

. . .Petitioner

Versus

State Of Haryana And others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Peeyush Gagneja, Advocate for the petitioner.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, prayer of the petitioner is that the petitioner has been suspended vide order dated 05.05.2023, though a period of 6 months has already lapsed, but no charge-sheet has been served upon him so as to mean that the respondents are contemplating the initiation of disciplinary proceedings against the petitioner, hence, respondents are under an obligation to withdraw the said order of suspension forthwith.

2. Learned counsel for the petitioner submits that even otherwise, continuation of the suspension beyond 90 days is contrary to the rules governing the Haryana Civil Services (Punishment and Appeal) Rules, 2016, hence the said order is liable to be set aside.

3. Notice of motion.

4. On the asking of the Court, Mr. Pankaj Middha, learned Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that as per second proviso to Rule 5 of Haryana Civil Services (Punishment and Appeal) Rules, 2016, allows the department to continue the suspension for the maximum

period of 180 days without initiation of disciplinary proceedings, hence, in the present case, the claim of the petitioner will be considered qua the suspension order and appropriate order will be passed within the period of four weeks from the date of receipt of certified copy of this order.

5. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed, at this stage, with liberty to assail the order, in case, any of the grievance of the petitioner still survived.

6. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

09.10.2023
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<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>