

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

**CWP-15665-2018(O&M)
Date of decision: 27.01.2023**

INDERJEET YADAV

...Petitioner

VERSUS

DAKSHIN HARYANA BIJLI VITRAN NIGAM LTD. & ANR

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Gurminder Singh, Senior Advocate with
Mr. J.S.Gill, Advocate for the petitioner.

Mr. S.S.Narula, Advocate for the respondents.

JAISHREE THAKUR, J. (Oral)

The instant writ petition has been filed invoking Articles 226/227 of Constitution of India raising a grievance that the enquiry proceedings initiated pursuant to a show cause notice dated 24.05.2018 against the petitioner is against the principles of natural justice and vitiated in law.

Learned counsel appearing on behalf of the petitioner would submit that the petitioner herein was served charge-sheet dated 27.01.2017 on account of demanding illegal gratification to which a detailed reply had been furnished. However, the Enquiry Officer was not following due procedure or taking note of the witnesses as cited by the petitioner, the delinquent official.

Pursuant to the notice of motion being issued, appearance was

caused on behalf of the respondents. Learned counsel for respondents would submit that in fact, the petitioner herein had furnished an affidavit to the effect that he would withdraw the proceedings that had been initiated by him, if a fresh enquiry is held following all procedures as set out. He would argue that the petitioner, in fact, had been aggrieved against the Enquiry Officer not allowing the petitioner to cross-examine witnesses and would be satisfied, if he would be permitted to do so.

Learned counsel for the respondents would submit that the request of the petitioner has been acceded to and he has been permitted to cross-examine the witnesses before a fresh Enquiry officer. Learned counsel would submit that in fact, during the interregnum of pendency of these proceedings, enquiry stands concluded. The Enquiry Officer would furnish the report, if not yet submitted within a period of two weeks.

In view of the statement given that the enquiry proceedings stand concluded and the enquiry report would be furnished within two weeks from today, this writ petition is disposed of with an observation that in case a show cause notice is issued and proceedings are initiated against the petitioner pursuant to the enquiry report, let the same be concluded as expeditiously as possible, preferably within a period of three months of supply of the enquiry report.

All miscellaneous applications pending as on today are also disposed of accordingly.

(JAISHREE THAKUR)
JUDGE

27.01.2023

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Whether speaking/reasoned Yes/No

Whether reportable Yes/No