

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

120

CWP- 1084-2024 (O&M)
Decided on : 18.01.2024

RAMESH KUMAR

...PETITIONER

Versus

STATE OF HARYANA AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. R. K. Malik, Senior Advocate with
Mr. Kartikey Chaudhary, Advocate
for the petitioner.

Mr. Harish Nain, AAG, Haryana.

HARSIMRAN SINGH SETHI , J. (Oral)

1. In the present petition, learned Senior counsel for the petitioner argues that the wording of Show Cause Notice dated 10.01.2024, copy of which has been annexed as Annexure P-4, is liable to be set aside as the respondents have already decided to terminate the services of the petitioner on expiry of 30 days and the consequences of the said show cause notice have already been predetermined.
2. Notice of motion.
3. On asking of the Court, Mr. Harish Nain, AAG, Haryana, accepts notice on behalf of respondents-State and submits that the interpretation being given to the show cause notice by the petitioner is incorrect. Learned counsel for the respondents further submits that in the impugned order itself it has been mentioned that this is a show cause notice for inviting the reply from the petitioner as to why his services should not

be terminated and an appropriate speaking order will be passed after appreciating the reply filed by the petitioner and in case, no reply is received from the petitioner then, the services of the petitioner be terminated within a period of thirty days.

4. Learned Senior counsel for the petitioner submits that keeping in view the statement of the learned State counsel that the impugned order is only a show cause notice and an appropriate speaking order will be passed after appreciating the reply to be filed by the petitioner, the present petition may kindly be disposed of having been not pressed, at this stage, with liberty to file an appropriate reply to the impugned/show cause notice.

5. Learned Senior counsel for the petitioner further submits that an appropriate reply to the show cause notice will be filed by the petitioner within a period of two weeks from today after which, the respondents be directed to pass the appropriate order in pursuance to the Show Cause Notice dated 10.01.2024 (Annexure P-4).

6. Ordered accordingly.

7. Pending civil miscellaneous application, if any, also stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

18.01.2024

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Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*