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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-7630-2024
Date of Decision: 05.04.2024

Sahil and others Petitioners

Versus

State of Haryana and others Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Akshay Bhan, Senior Advocate assisted by
Mr. A.S. Talwar, Advocate,
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *certiorari* or any other appropriate writ or order to quash and set aside the impugned letters dated 15.03.2024 (Annexures P-13 to P-17) issued by respondent No.3 to petitioner Nos.1 to 5 respectively, which cancelled and withdrew the appointment of petitioners to the post of sub-fire officer on the erroneous premise that the petitioners do not possess the essential qualifications under Haryana Fire (Group-C) Service Rules, 2016 without taking into account the higher qualification admissible as per the advertisement which the petitioner possess.

2. Mr. Akshay Bhan, learned Senior Counsel with Mr. A.S. Talwar, Advocate appearing on behalf of the petitioners argued that impugned letters dated 15.03.2024 (Annexures P-13 to P-17) whereby the services of the petitioners have been terminated, have been issued without

affording any opportunity of hearing or issuing any notice to the petitioners. He further submitted that by regular process, the petitioners were selected and they joined their duties but later on due to various issues, including the issue that the petitioners were not having essential eligibility qualification for the post of Sub-fire Officer, their services have been terminated. He submitted that the basic *principle of natural justice* i.e. *audi alteram partem* has been violated in the present case and therefore, the impugned letters are liable to be quashed.

- 3. Notice of motion.
- 4. Mr. Gaurav Jindal, Addl. A.G., Haryana, who is present in the Court, accepts notice on behalf of all the three respondents. He submitted that he has sought specific instructions from respondent No.3 to state that since the impugned letters have been passed without affording an opportunity of hearing to the petitioners, the same will be withdrawn within a period of two weeks from today and fresh orders will be passed in accordance with law after affording an opportunity of hearing to the petitioners or their counsels.
- 5. Mr. Akshay Bhan, learned Senior Counsel for the petitioner has submitted that in view of the statement made by the learned Addl. A.G., Haryana, he does not want to press the present petition and the same may be disposed of.
- 6. In view of the above, the present petition is disposed of.

05.04.2024 (JASGURPREET SINGH PURI)
Bhumika JUDGE

- 1. Whether speaking/reasoned: Yes/No
- 2. Whether reportable: Yes/No