

CWP-8531-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-8531-2024
Date of Decision: 18.04.2024

Randhir Singh

..... Petitioner

Versus

The Haryana State Cooperative Supply and Marketing Federation and anr.
..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Baltej Singh Sindhu, Senior Advocate assisted by
Mr. Divij Dutt, Advocate,
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India inter alia praying for issuance of an appropriate writ, order or direction especially in the nature of a writ of *certiorari* for setting aside/quashing the impugned order dated 08.04.2024 (Annexure P-3) passed by respondent No.2 vide which the petitioner has been ordered to be placed under suspension which is illegal, arbitrary and against the rules, without any fault or allegation and that too by passing a non-speaking order and also prima facie violation of *principles of nature justice* with a further prayer for quashing the impugned order dated 08.04.2024 (Annexure P-4) passed by respondent No.2 whereby additional charge of District Officer HAFED, Faridabad has been assigned to Sh. Rajinder Singh Gill, DM, HAFED, Gurgaon.

2. Mr. Baltej Singh Sidhu, learned Senior Counsel assisted by Mr.

Divij Dutt, Advocate appearing on behalf of the petitioner submitted that the petitioner is at the fag end of his career and he is scheduled to retire on 31.01.2025 and now an order of suspension has been passed against him vide impugned order dated 08.04.2024 (Annexure P-3) by respondent No.2- Managing Director of the HAFED. He submitted that there was no ground for passing of the suspension order and it was only in order to harass the petitioner at the whims and fancies of the concerned higher authorities that the same has been done and because of the aforesaid *mala fide* reasons, the order of suspension has been passed, the same is liable to be quashed.

3. I have heard the learned Senior Counsel for the petitioner.

4. The challenge in the present petition is for quashing of the order of suspension (Annexure P-3). A perusal of the aforesaid impugned order would show that the petitioner has been placed under suspension on administrative grounds. The order has been passed on 08.04.2024 and the present petition has been filed on 15.04.2024. A perusal of the present writ petition and submissions of the learned Senior Counsel would show that there is nothing to show that there is an allegation of *mala fide* against any particular person nor any particular person has been impleaded as party in that regard. Even the allegations of *mala fide* contained in Para No.11 of the petition are vague in nature. It is a settled law that for alleging personal *mala fide*, it has to be alleged with proper diligence and due care and caution and also strongly and not in vague terms. Apart from the above, learned Senior Counsel has not been able to show any ground as to how suspension order is bad in law or in violation of any provisions of law.

5. In view of the above, this Court does not deem it fit and proper

to interfere in the present petition under Article 226 of the Constitution of India. The present petition being devoid of merit and consequently, the same is hereby dismissed.

18.04.2024

(JASGURPREET SINGH PURI)
JUDGE

Bhumika

1. Whether speaking/reasoned:

Yes/No
2. Whether reportable:

Yes/No