



CWP-9307-2024

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

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CWP-9307-2024

Date of Decision: 24.07.2024

Rajinder Kumar Arora and another

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Sajjan Singh, Advocate for the petitioners
Mr. Ravinder Singh Budhwar, Addl. AG, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the undated inquiry report, Annexure P-13, and chargesheets dated 16.11.2023, Annexures P-15 & P-16, issued against the petitioners requiring them to respond to the charges. They have also been permitted to seek personal hearing in this regard.

2. Learned counsel for the petitioners argued that the impugned chargesheets are illegal and arbitrary, as the same have been issued on the asking of sixth respondent who is Member of Legislative Assembly (MLA) from the area. It has further been contended that the respondents have discriminated against the petitioner in issuing the chargesheets. The eighth and ninth respondents have been named in the original complaint by the students of Government College for Girls, dated 13.08.2022, Annexure P-1, levelling serious allegations regarding their conduct, and action against them has also been recommended vide the impugned inquiry report, but the Department has chosen to proceed only against the petitioners.



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3. A perusal of the impugned chargesheets show that on receiving a complaint from the sixth respondent, the fifth respondent was asked to conduct a fact finding inquiry into the allegations against the petitioners and counter allegations by them. On the basis of inquiry report dated 09.06.2023, concluding that the petitioners have committed the misconduct alleged, the impugned chargesheets have been issued. Accordingly, there is no substance in the contention of learned counsel for the petitioner that the chargesheets have been issued only on the asking of the sixth respondent.

4. Also, there is no substance in the second argument that the petitioners have been discriminated against. It is because learned State counsel, on instructions, has contended that on the basis of allegations against the ninth respondent, who was working as Extension Lecturer, an FIR No.0072, dated 20.03.2024, has been lodged against him by the College, and he has been relieved from service also. So far as the eighth respondent is concerned, the Department is contemplating action against him, and appropriate decision will be taken expeditiously.

5. In view thereof, the writ petition is dismissed, with a direction to the second respondent/Director Higher Education, to take final decision on the complaint against the eighth respondent within six weeks of receiving a certified copy of this order.

(TRIBHUVAN DAHIYA)
JUDGE

24.07.2024
Payal

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No