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

**CWP-13497-2020**

**Date of Decision:20.01.2024**

**KHALID AKHTAR**

..... Petitioner

*Versus*

**UNION OF INDIA AND OTHERS**

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present : Mr. A.S. Sandhu, Advocate  
for the petitioner.

Mr. Vipul Aggarwal, Senior Panel Counsel  
for the respondents-UOI.

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**JAGMOHAN BANSAL, J. (Oral)**

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 18.02.2019 (Annexure P-9) whereby 'Displeasure' has been recorded and order dated 09.07.2020 (Annexure P-13) whereby Additional Director General has rejected representation of the petitioner.

2. Learned counsel for the petitioner submits that petitioner was called upon to show cause as to why the displeasure be not issued to him. The petitioner vide letter dated 18.01.2019 (Annexure P-8) requested for documents relating to inquiry and notice dated 06.01.2019, however, respondent considering said request as reply to show cause notice passed impugned order dated 18.02.2019 (Annexure P-9) whereby 'displeasure' has been recorded.

3. Learned counsel for the respondents-UOI expressed his inability to controvert the fact that petitioner vide letter dated 18.01.2019

had requested for documents and respondent has considered the same as reply to show cause notice.

4. The respondent was bound to grant appropriate opportunity to file reply and personal hearing before passing impugned order whereas it appears that respondent has inadvertently considered letter dated 18.01.2019 of the petitioner as reply to show cause notice. The petitioner has right to file reply to show cause notice and thereafter get opportunity of hearing.

5. In the wake of above facts and findings, the impugned order dated 18.02.2019 (Annexure P-9) is hereby quashed and respondent is directed to pass fresh order. The respondent shall consider request of the petitioner for relied upon documents and thereafter pass fresh order after considering reply, if any, filed by the petitioner.

6. It is made clear that if respondent comes to a conclusion that all the documents have already been supplied or documents are not required to be supplied, the petitioner shall not seek adjournment on one or another ground. He will come forward for the final adjudication of the matter. At the first instance, the respondent shall decide request of the petitioner for documents within 4 weeks from today and the petitioner thereafter, if so advised, shall file his reply within 3 weeks.

7. Disposed of in above terms.

( JAGMOHAN BANSAL )  
JUDGE

20.01.2024  
*Ali*

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|---------------------------|---------------|
| Whether speaking/reasoned | Yes/No        |
| <i>Whether Reportable</i> | <i>Yes/No</i> |