

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(258-1)

CWP-11647-2023

Date of decision: - 13.03.2024

Jagat Singh

....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Manjeet Singh, Advocate, for the petitioner.

Mr. Amandeep Joshi, DAG, Haryana.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of certiorari for quashing the impugned order show cause notice dated 21.04.2023/27.04.2023 (Annexure P-4) issued by respondent No.2 whereby the promotion order dated 12.03.2020 (Annexure P-1) promoting the petitioner to the rank of EHC has been proposed to be withdrawn.

2. On 26.05.2023, a Co-ordinate Bench of this Court was pleased to pass the following order: -

“Learned counsel for the petitioner relies upon pendency of CWP No.10584 of 2023 titled Phool Kumar vs. State of Haryana and others to contend that in case of co-accused in the FIR, notice has been issued with interim direction after noticing the incriminating facts.

Notice of motion returnable on 18.10.2023.

Till the next date of hearing, proposed action in pursuance of

the show cause notice dated 21.04.2023/27.04.2023 be not implemented.

To be heard along with CWP No.10584 of 2023.

26.05.2023

**(RAJ MOHAN SINGH)
JUDGE”**

3. During the course of arguments, learned counsel for the petitioner as well as learned State counsel has submitted that since the reply has already been filed to the show cause notice dated 21.04.2023/27.04.2023 (Annexure P-4), thus, the competent authority of respondent No.1-State be directed to take a final decision on the same and till the said time the interim order granted by a Co-ordinate Bench of this Court be continued.

4. Keeping in view the above-said facts and circumstances, the present writ petition is disposed of with a direction to competent authority of respondent No.1-State to take a final decision on the show cause notice dated 21.04.2023/27.04.2023 (Annexure P-4) and till the time the said final decision is taken, the interim order dated 26.05.2023 would continue and also for a period of two weeks thereafter in case the decision is against the petitioner.

5. It is made clear that this Court has not opined on the merits of the case and competent authority of respondent No.1-State would consider and decide the matter independently, in accordance with law.

March 13, 2024
naresh.k

**(VIKAS BAHL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No