



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

CWP-31240-2024

Date of Decision : 26-11-2024

NISHA RANI

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Dayal Partap Singh Randhawa, Advocate for the petitioner.

Mr. Swapan Shorey, Advocate for the respondent.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioner submits that though in the present petition, the challenge is to the order of suspension dated 24.10.2024 (Annexure P-14) but as per his instructions, the same has already been withdrawn.

Learned counsel for the petitioner submit that the petitioner has alleged malafides against respondent Nos. 3, 4 and 5 hence, the enquiry, in case an enquiry is to be conducted, the same should be done in a free and fair manner so that respondent Nos. 3 to 5 are not able to influence the same in any manner and the petitioner is given a due opportunity to defend herself.

Learned counsel for the respondents submits that in case, any departmental enquiry is to be conducted against the petitioner, the same will

be done in a manner required as envisaged under the Rules governing the service. In case, the petitioner has any grievance that any prejudice is being caused to her during the conduct of the disciplinary proceeding and any representation is received raising any grievance on any account, the same will be addressed immediately by passing an appropriate speaking order

Learned counsel for the respondents submits that it will be ensured that the enquiry is done in a free and fair manner without there being any interest of anybody much less than respondent Nos. 4 and 5. Learned counsel further submits that in case, it is found feasible to accept the claim of the petitioner, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioner in the speaking order to be passed and the said order will be duly conveyed to the petitioner and in case, any documents are requested, the said request will be seen in light of the fact and in case, it is found that the documents sought by the petitioner are relevant to the enquiry proceedings, it will also be supplied to the petitioner.

Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further with liberty to approach the respondents in case, any prejudice is caused to the petitioner during the enquiry proceedings.

Ordered accordingly.

Pending application, if any, also stands disposed of.

26-11-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES/NO
Whether reportable: YES/NO