



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

Date of Decision : 16-12-2024

.....Petitioner(s)

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

Present: Ms. Alka Chatrath, Advocate with
Mr. Nikhil Singh, Advocate
for the petitioners.

Mr. Satnampreet Singh Chauhan, DAG Punjab.

Learned counsel for the petitioners submits that after filing of the present petition, the petitioners have been given the show cause notice for reversion which needs to be replied to and the present petition may kindly be disposed of as having been not pressed any further with liberty to reply to the said show cause notice and to avail the remedy in case, the petitioners are aggrieved against the outcome of the said proceedings.

Learned counsel for the petitioner submits that that issue of debarring the petitioners for further promotion be also decided after the decision is taken on the show cause notice qua reversion.

SAPNA GOYAL
2024.12.19 17:24
I attest to the accuracy and
integrity of this document

Mr. Satnampreet Singh Chauhan, DAG Punjab accepts notice on behalf of the respondent-State.

Learned counsel for the respondent-State submits that once, a notice has been issued to the petitioners, they are supposed to file the reply within the time period granted and whatever the plea will be raised by the petitioners in their defence, the same will be considered in accordance with the law before deciding as to what action needs to be taken qua the show cause notice issued to the petitioners.

Learned counsel for the petitioners submits that the petitioners were granted only given 3 days time which is very short hence, the petitioners are ready to raise the objections available to them qua the proposed action in the show cause notice and the period fixed in the show cause notice to file reply for a timely action be extended.

I have heard learned counsel for the parties and have gone through the records of the present case with their able assistance.

Keeping in view the fact that only the show cause notice was issued to the petitioner, no interference is called for by this Court in the present petition keeping in view the fact that the petitioners can raise all the objections before the authorities concerned hence, the respondents are directed that in case, the petitioners file reply to the show cause notice within a period of 10 days from today, appropriate decision be taken on the show cause notice keeping in mind the objections raised by the petitioners in their reply to the show cause notice.

It is further stated that in case it is feasible to the grant personal hearing to the petitioners before arriving at any decision, the petitioners be permitted the personal hearing as well.

At this stage, learned counsel for the petitioners submits that petitioner No.1 has been barred for promotion. Hence, keeping in view the decision which will be taken by the respondents, in case the petitioners are found entitled for the promotion, the respondents should re-consider the debarring of petitioner No.1 for further promotion as the petitioner No.1 never objected to or disobeyed the order of promotion especially when, the said promotion order is now only under the review keeping in view the show cause notice.

Learned counsel for the respondent-State submits that after taking an appropriate decision on the show cause notice, in case the petitioners are found entitled for promotional benefits, the plea of the petitioners with regard to debarring them for further promotion will also be considered and an appropriate decision will be taken qua the said prayer of the petitioner No.1 as well.

Learned counsel for the petitioners submits that keeping in view the statement of the learned State counsel, the present petition may kindly be disposed of as having been not pressed any further with liberty to file reply to the show cause notice, which have been issued to the petitioners.

Ordered accordingly.

16-12-2024

Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

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