

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****218****CWP No.7280-2022*****Date of decision: 03.02.2025***

Tejvir

*.....Petitioner**Versus*

State of Haryana and Ors.

*.....Respondents***CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

Present: Mr. Amit Jhanji, Sr. Advocate with
Ms. Eliza Gupta, Advocate and
Mr. Sahil Shehrawat, Advocate for the petitioner.

Mr. Tapan Kumar, DAG, Haryana.

VINOD S. BHARDWAJ, J (ORAL)

Petitioner has approached this Court challenging the impugned notice dated 17.03.2022 (Anneuxre P-14) whereby his services have been terminated.

Learned counsel for the petitioner contends that respondents having initiated regular departmental proceedings, there was no reason for serving Memo No.A-8-2022/1880 dated 17.03.2022 as no such exigency is mandated under Article 311 of the Constitution.

Learned State counsel on instructions from Vikas Mehta, Assistant, office of Director Urban Estate, Panchkula, does not dispute that regular departmental proceedings have been initiated and the process of taking final decision after culmination of the enquiry proceedings has been undertaken.

Given such circumstances and taking into consideration that the respondents have already taken recourse to the procedure as prescribed under the Haryana Civil Services (Punishment and Appeal) Rules, 2016, the impugned notice dated 17.03.2022 cannot be given effect to. The respondent authority shall be at liberty to take appropriate decision on the pending disciplinary proceedings.

Petition is disposed of accordingly. However, the liberty is granted to the petitioner to raise all the pleas available to the petitioner in the pending proceedings.

February 03, 2025
manoj

(VINOD S BHARDWAJ)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No