

**CWP-7302-2023**

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108**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CWP-7302-2023**Date of Decision : **19.05.2025****PIARA SINGH**

....Petitioners

VERSUS**STATE OF PUNJAB AND OTHERS**

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARIPresent : Mr.Prateek Mahajan, Advocate,
for the petitioner.

Mr.Pardeep Bajaj, DAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for issuance of a *mandamus* upon respondent no.1 to 5, to conduct proper inquiry on the complaint of the petitioner, and to take disciplinary action against respondent no.6, for not providing needful medical service to the son of the petitioner.

2. The history of inquiries into the complaints made by the present petitioner to different authorities, are though referred to in the writ petition, as well as in the reply, however, after considering the supervening events, this Court is of the opinion that same are not required to be referred in the order.

3. The supervening events are relevant to be considered as the petitioner's complaint dated 27.12.2019 (Annexure P-12), was earlier



considered by the Government, and thereafter, the Managing Director, Punjab Health System Corporation, Punjab, was again requested vide letter dated 05.02.2020, to conduct an inquiry at their own level, and thereafter, submit its report on an urgent basis. The petitioner was also informed about the said decision. The Director, Punjab Health System Corporation, Punjab, vide letter dated 31.07.2024, sent a report to the Government. The report mainly voices about the petitioner's not joining the inquiry, despite giving numerous opportunities.

4. Earlier the inquiry was fixed for further proceedings on dated 02.05.2024, about which the petitioner was duly informed vide letter dated 18.04.2024. Thereupon, in response to the letter (*supra*), the petitioner informed the inquiry officer, that he has filed the instant petition before this Court, therefore, the office concern, cannot inquire the matter now, and he does not want his complaint to be inquired into from this office. The letter was received in the office of Director, Punjab Health System Corporation, Punjab, on dated 03.05.2024. However, before the receipt of letter dated 03.05.2024 of the petitioner, he was informed about granting another opportunity vide letter dated 03.05.2024, for joining inquiry on dated 09.05.2024. To which the petitioner again replied through a letter dated 10.05.2024, informing that he does not wish to get his complaint inquired from the office of Director, Punjab Health System Corporation, Punjab. However, considering the seriousness of the matter, the petitioner was again informed, vide letter dated 04.07.2024,

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about giving one more opportunity, but neither he joined the proceedings, nor gave any intimation in this regard.

5. Considering the aforesaid non-co-operative attitude of the petitioner, the inquiry was ordered to be closed vide order Annexure R-1.

6. Learned counsel for the petitioner, though, is unable to refute the above factual aspects, however, he submits that the petitioner is now ready and willing to join the ongoing inquiry, if one more opportunity is granted to him.

7. Considering the *bona fide* and *innocuous*, prayer of the petitioner, at this stage, he is granted one more opportunity to join the inquiry by causing his appearance before the office of Director, Punjab Health System Corporation, Punjab, on 02.06.2025, at 10.00 a.m. positively. He is at liberty to submit any statement/documents, if any, to substantiate his allegations.

8. In case, the petitioner causes his appearance before the office of Director, Punjab Health System Corporation, Punjab, on the aforesaid date and time, the latter concerned, shall make all its endeavours to take a final decision on the complaint, within a period of 01 month thereafter, after giving an adequate opportunity to hearing to parties concerned.

9. **Disposed of** accordingly.

May 19, 2025
dharamvir

(KULDEEP TIWARI)
JUDGE

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