



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

109+288

**CM-5499-CWP-2024 in/and
CWP-19655-2023**

Date of decision : 18.02.2025

GULSHAN RAI NAGPAL

..... Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Jatinder Pal Singh, Advocate
for the petitioner.

Mr. Mohit Kapoor, Senior DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

CM-5499-CWP-2024

This application is for placing on record counter affidavit of
Gulshan Rai Nagpal in reply to an affidavit dated 22.02.2024.

Application is allowed as prayed for.

Counter affidavit is taken on record, subject to just exceptions.

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1. Learned counsel for the petitioner submits that on the basis of
the departmental enquiry, the order has been passed by the respondents
under Rule 2.2(a) of the Punjab Civil Services Rules Volume II Part II,
which provision is not applicable in the facts and circumstances of the
present case.

2. Learned counsel for the respondents submits that in the present



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:2:

case Rule 2.2 (b) will be applicable instead of Rule 2.2 (a) hence, the impugned order be treated as withdrawn with liberty to pass a fresh order in accordance with law.

3. Learned counsel for the petitioner submits as the impugned order has been withdrawn, the present petition has been rendered infructuous but liberty be given that in case the fresh order to be passed by the respondents is causing any prejudice, the petitioner can avail appropriate remedy.

4. Ordered accordingly.

5. Let a fresh order be passed within a period of four weeks from the date of the receipt of the copy of this order.

6. Pending applications, if any, also stand disposed of accordingly.

**(HARSIMRAN SINGH SETHI)
JUDGE**

18.02.2025

Rimpal

Whether speaking/reasoned
Whether Reportable :

Yes
No