



CWP-25223-2025

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

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CWP-25223-2025

Date of Decision: 25.09.2025

Asheet Bajaj

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Abhinav Sood, Advocate, and
Ms. Achintaya Soni, Advocate,
Ms. Anmol Gupta, Advocate for the petitioner

Ms. Tanushree Gupta, Senior Deputy Advocate General,
Haryana

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed *inter alia* seeking a writ of *certiorari* quashing the dissent note dated 05.07.2023, Annexure P-1, issued by Additional Chief Secretary, Higher Education Department, as the same is statedly arbitrary being in violation of Rule 7 of the Haryana Civil Services (Punishment & Appeal) Rules, 2016.

2. On 04.09.2025, the following order was passed:

Learned State counsel has received instructions from the third respondent/Director General, Technical Education, vide memo dated 04.09.2025, which is retained on the case file as Annexure 'A'. She contended that the petitioner was issued a chargesheet on 15.03.2022, and the inquiry officer submitted a report dated 04.01.2023, exonerating him of the charges. The disciplinary authority recorded a dissent note dated 05.07.2023,



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thereupon notices were issued to the petitioner, and he submitted a reply dated 09.11.2023, requesting a personal hearing before passing of any order. He was heard in person by the disciplinary authority, and on his request, order dated 04/29.12.2023, Annexure P-2, was passed, whereby a Reconciliation Committee was constituted to reconcile the difference of ₹7.27 crores pointed out by the audit party, which was required to be explained by the petitioner. He joined proceedings before the Committee and was asked to furnish certain documents vide letter dated 08.02.2024. The same have now been furnished.

2. In these circumstances, learned counsel for the petitioner has pressed the petition only for seeking a direction that he should be considered for promotion to the post of Head of the Department Civil Engineering, as persons junior to him have already been promoted.

3. Learned State counsel seeks time to get instructions in that regard.

4. Adjourned to 11.09.2025.

On 11.09.2025, following order was passed:

Learned State counsel has received instructions from the Department vide memo dated 11.09.2025, a copy whereof is retained on the case file as Annexure 'A'. She referred to para 18 thereof, which is to the following effect:

18. That further, it is also intimated that at the department carried out various promotions to the post of Head of Department (HOD) including in the discipline of Civil Engineering in the year December, 2024 and at that time the said charge-sheet under rule-7 is pending against the petitioner due to which the petitioner was not found eligible for promotion to the post of HOD (Civil Engineering). However, 01 post of HOD (Civil Engineering) has been kept vacant. After the decision of the said charge-sheet the claim



of the petitioner for promotion will be considered as per rule.

2. She, accordingly, contends that the petitioner's interests have been taken care of by keeping one post of Head of the Department in the discipline of Civil Engineering vacant. She, however, seeks a short accommodation to get instructions regarding the timeline to conclude proceedings of the Reconciliation Committee, as well as disciplinary proceedings.

3. Adjourned to 25.09.2025.

3. Today learned State counsel has received instructions from the Department vide memo dated 24.09.2025, a copy whereof is retained on the case file as Annexure 'C'. By referring to the same, she contends that the petitioner has already been afforded various opportunities to reconcile the payments made by him during the period in question, so that final decision on the pending chargesheet could be taken. He, however, failed to do so and has not submitted his response to the committee due to which the reconciliation work could not be completed.

4. Learned counsel for the petitioner contends that his responses regarding the said reconciliation, Annexures P-24, P-26, P-30 and P-31, are already on record, but he may be provided only one more opportunity of personal hearing before the Committee where the remaining documents, if any, as also the ones mentioned in the aforementioned letters, will be submitted to the Committee.

5. In view thereof, the petition stands disposed of with a direction to the respondents to conclude the proceedings of the Reconciliation Committee within three months, after providing one opportunity of hearing to the petitioner and taking the documents submitted, if any, into consideration. Thereafter final



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decision on the disciplinary proceedings pending against him will be taken within two months therefrom. In case the Departmental Promotion Committee meets in the meanwhile, the petitioner will also be considered for further promotion as Head of the Department (Civil Engineering), and recommendation *qua* him shall be kept in a sealed cover in terms of law laid down in *Union of India and others v. K.V. Jankiraman and others*, 1991(4) SCC 109.

(TRIBHUVAN DAHIYA)
JUDGE

25.09.2025
Payal

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No