



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

125**CWP No.26507-2025****Date of decision: 08.09.2025****Jai Bhagwan****....Petitioner**

VERSUS

State of Haryana and Ors**....Respondents****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. S.P. Arora, Advocate and

Ms. Himanshu Arora, Advocate for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under article 226/227 of the Constitution of India with a prayer that this Hon'ble Court may issue a writ in the nature of Certiorari for quashing the proceedings emanating from the charge sheet served upon the petitioner on 09.10.2020 and the order of Punishment dated 22.11.2023 (Annexure P.7) as the petitioner has been exonerated by the Inquiry Officer vide report dated 05.09.2023 (copy of the report has not been provided to the petitioner).

2. Learned counsel for the petitioner would contend that the impugned order suffers from material illegality and perversity and is not sustainable on the ground that there is no reason for disagreement recorded in the punishment order by the Authority, which is pre requisite in law. He would draw the attention of this Court to the impugned order dated 22.11.2023 (Annexure P.7) whereby major penalty under Rule 4(b)(i) of Haryana Civil Services (Punishment & Appeal) Rules, 2016 has been imposed upon the petitioner i.e withholding of two increments with cumulative effect despite the fact that in the fact finding inquiry report, charges were recommended to be dropped as no loss to the revenue or state



exchequer has been caused. He submits that a statutory appeal filed against the impugned order is pending consideration and he would be satisfied if the Authority concerned is directed to decide the statutory appeal within the stipulated time frame.

2. Notice of motion.

3. Mr. Sushil Bhardwaj, learned Additional Advocate General, Haryana, accepts notice on behalf of the respondent-State.

4. In these circumstances, present petition is disposed of directing the Financial Commissioner & Principal Secretary to Government Haryana, Excise & Taxation Department to decide the said statutory appeal filed by the petitioner by passing a speaking order in accordance with law within a period of three months from the date of receipt of a certified copy of this order. Copy of which shall be furnished to the petitioner within one week thereafter.

4. The petition stands disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

08.09.2025
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No