



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

**CWP No.32042-2025
Date of Decision:21.11.2025**

Sandeep Kapoor

....Petitioner

VS.

Chandigarh Industrial and Tourism Development Corporation Limited

....Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. R.C.Sharma, Advocate and
Mr. Shivaansh Gulati, Advocate
for the petitioner

Ms. Madhu Dayal, Advocate
for the respondent

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of chargesheet dated 16.10.2025.

2. The petitioner joined CITCO-respondent as Manager (Canteen) on 24.10.2002. He was appointed as Head of Hotel Shivalik View on 17.03.2022. The respondent issued him show cause notice dated 17.02.2023 alleging unauthorized payment of Rs.5,21,471/-. He filed reply and respondent withdrew show cause notice vide order dated 06.06.2023. He was warned to be cautious. On the basis of inquiry report against Vinod Kashyap, he was issued second show cause notice dated 02.05.2024. He filed reply to said notice. Second show cause notice was withdrawn vide



order dated 19.11.2024. Vinod Kashyap filed CWP No.23158 of 2023 before this Court. Counsel for CITCO made a statement before this Court that a show cause notice has already been issued to Sandeep Kapoor. The respondent issued third show cause notice dated 17.07.2025. Petitioner filed reply to said notice. The respondent has served chargesheet 16.10.2025 upon him.

3. Learned counsel for respondent submits that it is factually correct that first show cause notice was issued prior to report of the Inquiry Officer and second show cause notice was issued post inquiry report. The petitioner was issued warning in the case of first show cause notice and second show cause notice was dropped by Competent Authority after getting reply of the petitioner. Third show cause notice has been issued in view of statement recorded in the order dated 21.05.2025 passed in CWP No. 23158 of 2023. Third show cause notice has been issued to find out whether petitioner was involved in the alleged offence or not.

4. I have heard learned counsel for the parties and perused the record with their able assistance.

5. From the perusal of record, it is evident that petitioner was issued warning with respect to first show cause notice. Second show cause notice was based upon report of the Inquiry Officer. The petitioner was asked to file response to show cause notice. He filed reply and Competent Authority finding his reply convincing dropped charges against him. There was no ground to issue third show cause notice because it is settled principle of law that for the same cause of action, repeated show cause notices cannot be issued. Second show cause notice was based upon report of Inquiry



Officer who had implicated the petitioner. Initiation of third proceeding with respect to same cause of action was patently bad and beyond the jurisdiction of respondent.

6. In the wake of above discussion and findings, the instant petition is allowed. The impugned show cause notice and charge sheet are hereby set aside.

(JAGMOHAN BANSAL)
JUDGE

21.11.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No