



243 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-14208-2025

Date of decision: 28.01.2026

MAHAVIR SINGH

....Petitioner

Versus

STATE OF HARYANA AND OTHERS

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ashwani Talwar, Senior Advocate with
Ms. Pratiksha Sharma, Advocate
for the petitioner.

Mr. Saurabh Girdhar, Asstt.A.G., Haryana.

HARPREET SINGH BRAR, J (Oral):

1. Present civil writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *Certiorari* quashing the order dated 15.04.2025 (Annexure P-4) whereby petitioner has been ordered to be removed from the post of Chief Vigilance Officer with immediate effect.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner had an unblemished career of about 35 years in Haryana Government Corporations. Keeping in view of his excellent service record, he was appointed as Chief Vigilance Officer on 19.11.2023 on a three year contractual basis after his retirement on 31.08.2019. Learned counsel for the petitioner further submits that the appointment letter of the petitioner expressly provides that his service would be governed by the Haryana Civil Services (Punishment and Appeal) Rules, 2016. On 15.04.2025, he was removed from service without complying with the said Rules and without



issuance of any show cause notice or granting any opportunity of hearing. Learned counsel for the petitioner further refers to the order dated 28.05.2025 and submits that this Court had sought specific information from the State of Haryana regarding:

- (I) whether any inquiry/investigation or criminal proceeding is pending against the petitioner: and
- (ii) Whether Clause 7 (d) of engagement order can be invoked with respondent to past conduct.

3. Further the learned counsel for the petitioner submitted that the enquiry initiated on the basis of the letter dated 05.08.2024 culminated on 19.11.2024, vide which the enquiry against the petitioner was closed and no disciplinary action was recommended against the petitioner and as such the impugned removal order (Annexure P-4) is not sustainable in the eyes of law as the very foundation on which the order was based, stands demolished.

4. In view of the arguments raised by the learned counsel for the petitioner regarding the conclusion of the enquiry, affidavit of respondent No.1 was sought.

5. *Per contra*, learned counsel for respondent-State of Haryana submits that Clause (d) of Para-7 of the contract provides for immediate termination of the contract of CVO, without notice if he/she is found indulging in corrupt practices or if it comes to the knowledge of the appointing authority through reliable sources or complaint is filed with sufficient evidence indicating indulgence in Corruption. It is further submitted that the argument of the petitioner regarding conclusion of



enquiry is misleading. Enquiry No.7 dated 02.12.2019 has not been closed in its entirety. The communication dated 09.11.2024 was confined only to allegations No.1 to 4 and did not amount to closure of the enquiry insofar as allegation No.5 is concerned, which pertains to the petitioner in his capacity as SVO. The State Vigilance and Anti Corruption Bureau has recommended a detailed enquiry into allegation No.5 which is still under consideration and being investigated.

6. I have heard learned counsel counsel for the parties and perused the record of the case with their able assistance. It transpires that petitioner had joined as Chief Vigilance Officer on three year contract on 19.11.2023.

7. The argument raised by learned counsel for the petitioner that the petitioner could not have been removed without following the procedure prescribed under the Haryana Civil Services (Punishment & Appeal) Rules, 2016 is totally misconceived in view of Clause (d) of Para 7 of the contract of engagement. The relevant portion of Clause (d) of Para 7 of the contract regarding engagement serving/retired officers on the post of Chief Vigilance Officer in the vigilance department Haryana is reproduced as under:-

“The contract of CVO shall be terminated immediately without any notice if he/she is found indulged in corrupt practices and/or it comes to the knowledge of Appointing Authority through reliable sources or any complaint with sufficient evidence that CVO is indulged in corruption or if he/she caught red handed. If he/she is serving officers then his deputation as CVO will be



immediately terminated and he/she shall be reverted back to his parent department with necessary recommendation to take action against him/her as per rules.”

8 As such, the impugned action of removal was taken in accordance with Clause 7(d) of the engagement order, which permits termination without notice in such cases. There is no requirement for issuance of a separate show cause notice in such a situation. The affidavit filed by respondent No.2 clearly indicates that the enquiry against the petitioner has not been concluded and a specific recommendation has been made for a detailed enquiry into allegation No.5, which relates solely to the petitioner. The complicity and role of the petitioner are still under consideration and investigation by the State Vigilance and Anti Corruption Bureau, Haryana.

9. This Court is of the considered opinion that it would not be in public interest to allow the petitioner to continue as Chief Vigilance Officer during the pendency of such investigation.

10 In view of the above, this Court finds no ground to interfere the impugned order.

11. Accordingly, the writ petition is dismissed.

(HARPREET SINGH BRAR)
JUDGE

28.01.2026
monika

1. Whether speaking/ reasoned : Yes /No
2. Whether reportable : Yes /No