

CWP-19432-2026

2026:PHHC:088592



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

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Date of decision:**01.07.2026**

BALWANT RAI

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Kushager Goyal, Advocate
for the petitioner.

Mr. Naveen Singh Panwar, DAG Haryana.

HARPREET SINGH BRAR, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India with a prayer for issuance of an appropriate writ, order or direction in the nature of *Mandamus* directing respondent No. 2 to decide the appeal dated 24.03.2026, submitted on 27.03.2026 (Annexure P-3), preferred against the enquiry report/order dated 12.03.2026 (Annexure P-2), in a time-bound manner and strictly in accordance with law, after affording an adequate opportunity of hearing to the petitioner as well as the

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concerned/affected party(ies), and by passing a fair, impartial, speaking and reasoned order after duly considering the entire relevant record.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner submitted a complaint alleging manipulation and forgery of official records, including attendance registers and service records, during the posting of Respondent No. 2 in the office of the District Elementary Education Officer, Sirsa. The petitioner subsequently received information under the Right to Information Act, 2005, vide Letter No. E-1-2026/4128 dated 13.01.2026, which, according to the petitioner, substantiated the allegations. Pursuant thereto, an enquiry committee was constituted by the District Elementary Education Officer, Sirsa. During the course of the enquiry, the committee repeatedly called for the relevant official records, including the attendance registers and service book of Respondent No. 2; however, the same were not produced despite repeated requests.

2.1. Thereafter, the enquiry committee submitted its enquiry report/order dated 12.03.2026 (Annexure P-2), whereby the complaint was closed/filed without proper examination of the allegations and the relevant record. Aggrieved thereby, the petitioner preferred a statutory appeal dated 24.03.2026 (Annexure P-3), which was submitted on 27.03.2026 before the competent authority. Despite the lapse of considerable time, the said appeal

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remains pending and has not been decided, compelling the petitioner to invoke the extraordinary writ jurisdiction of this Court.

3. At this stage, learned counsel for the petitioner submits that he would be satisfied if the appeal (Annexure P-3) of the petitioner is considered and decided by the respondent(s) by passing a speaking order in a time bound manner.

4. Learned State counsel, appearing on advanced notice, submits that he has no objection in case a direction is issued to respondent No.2/competent Appellate Authority for time-bound consideration and decision of the appeal of the petitioner by passing a speaking order as every employee has right to have his disciplinary proceedings decided in an expeditious and reasonable time-frame.

5. Therefore, in view of the limited prayer made by learned counsel for the petitioner, respondent No.2/competent Appellate Authority is directed to consider and decide the appeal (Annexure P-3) of the petitioner and pass a speaking order, after affording him an opportunity to be heard, within a period of 02 months from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioner.

6. Disposed of, accordingly.

7. Pending miscellaneous applications, if any, shall also stand

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disposed of.

(HARPREET SINGH BRAR)
JUDGE

01.07.2026
parul verma

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