

(2022) 04 SHI CK 0048
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 4150 Of 2019

Anant Ram Negi

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

Date of Decision : 23-04-2022

Acts Referred:

Citation : (2022) 04 SHI CK 0048

Hon'ble Judges : Sabina, J; Satyen Vaidya, J

Bench : Division Bench

Advocate : Y.P.Sood, Vikrant Chandel

Final Decision : Dismissed

Judgement

Sabina, J

1. Petitioner has filed the petition under Article 226 of the Constitution of India, seeking following reliefs:-

“(i) That writ of mandamus may kindly be issued against respondents No.1 to 3 directing them to conduct the inquiry into the allegations as made by the petitioner in his representation Annexure P-1 and P-9 against Respondents No.5 & 6.

(ii) That the Petitioner may kindly be ordered to be associated in the inquiry to be conducted by Respondents No.1 to 3.

(iii) That the respondents may be directed to take action as permissible under the law against respondents No.5 & 6 in case the allegations made by the Petitioner in Annexure P-1 & P-9 are found to be true.”

2. We have heard learned counsel for the parties and have gone through the record available on the file carefully.

3. Preliminary submissions of the reply filed by respondents No.1 to 4, read as under:-

"That the inquiry on the complaint (Annexure P-1), received from the petitioner was done by the Respondent No.4 and on the basis of inquiry report, the replying respondent initiated the disciplinary action against the Respondent No.6 by issuing a show cause notice dated 03.12.2019 under H.P. Panchayati Raj Act, 1994. The reply of the show cause notice from the respondent No.6 was received which was not found satisfactory. Therefore, a regular inquiry has been ordered to be conducted by Sub-Divisional Officer (Civil), Theog on 28.01.2020 Annexure R-1. Appropriate action shall follow upon the receipt of inquiry report."

4. Thus, regular inquiry has already been ordered to be conducted by Sub-Divisional Officer (Civil), Theog, vide Annexure R-1.

5. In view of the preliminary submissions raised by respondents No.1 to 4 in their reply, this petition is rendered infructuous.

6. Ordered accordingly.

Pending miscellaneous application(s), if any, also stand disposed of.