

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

2025:PHHC:070539-DB



Civil Writ Petition No. 752 of 2025 (O&M)

Reserved on :17.02.2025

Pronounced on: 23.05.2025

Sudhir Parmar

.....Petitioner

versus

Punjab and Haryana High Court, Chandigarh and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE  
HON'BLE MR. JUSTICE H.S.GREWAL, JUDGE**

Present : Mr. S.K.Garg Narwana, Senior Advocate with  
Mr. Vishal Garg Narwana, Advocate and  
Mr. Rajat Sheokand, Advocate, for the petitioner.

Mr. Rajeev Anand, Advocate, for the respondents.

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**SHEEL NAGU, CHIEF JUSTICE**

The power of judicial review under Article 226 read with Article 227 of the Constitution of India is invoked by assailing the Articles of Charge dated 24.07.2003 (Annexure P-1) and seeking issuance of a writ of mandamus to allow the petitioner, who has been charge sheeted on 24.07.2023 vide Annexure P-1, to submit a written statement of defence (reply) to the said charge sheet.

2. The petitioner, who is a member of Superior Judicial Services of the State of Haryana substantively holding the post of Additional District & Sessions Judge, was placed under suspension on 27.04.2023 while being posted at Kurukshetra. It is not in dispute that disciplinary proceedings against the petitioner for imposition of major penalty were initiated on 24.07.2023 by issuance of a charge sheet. For various reasons as explained in the petition, the petitioner alleges that he could not submit the written statement of defence to the charge sheet served upon him on 24.07.2023 and therefore by way of this petition seeks a direction to the Enquiry Officer to allow the petitioner to submit written statement of defence at a stage when the first witness of the employer has been examined in the hearing on 23.01.2025.

3. The skeletal facts necessary for adjudication of the issues involved are delineated below in a tabular form chronologically: -

<u>PARA/PAGE/DATE</u>	<u>EVENTS/FACTS</u>
2001	Joined Haryana Judicial Department as Judicial Magistrate.
2016	Promoted to Haryana Superior Judicial Services.
<b>Page 87 para 3</b> 20.04.2023	A confidential letter received from DG, Anti-Corruption Bureau, Haryana, regarding <b>FIR No.06 dt. 17.04.2023</b> , u/Sec. 7, 8, 11, 13 Prevention of Corruption Act & 120-B IPC, P.S, ACB, Panchkula against Petitioner (then ADG, Presiding Officer, Special Judge, CBI Court, Panchkula).
<b>Page 87 para 3</b> 27.04.2023	Petitioner placed under <b>suspension</b> (with headquarters at Kurukshetra) and disciplinary proceedings for imposing major penalty u/Rule 4(b) contemplated.
<b>Page 20 [P-1]</b> 24.07.2023	<b>Charge-sheet</b> u/Rule 7 of Haryana Civil Services (Punishment & Appeal) Rules, 2016 served and opportunity to inspect records/documents given.
<b>Pg 87 para 4</b> 10.08.2023	Petitioner arrested by ED (remained in custody till 02.11.2023).
<b>Pg 26 [P-2]</b> (no date)	District & Sessions Judge, Kurukshetra on 22.08.2023 forwarded the request of the

	petitioner to grant him extension of time to file written statement of defence at least 20 days after his release from the custody.
<b>Page 88 para 4</b> 02.11.2023	<b>Bail</b> granted to the petitioner.
<b>Page 88 para 4</b> 20.11.2023	One week time was granted by the Vigilance/Disciplinary Committee (DC) to submit written statement of defence.
<b>Page 28 [P-3]</b> 22.11.2023	Respondent No.2 asked petitioner to submit Written statement of defence.
<b>Page 88 para 5</b> 24.11.2023	Another request by petitioner seeking copies of certain documents for filing written statement of defence.
<b>Pg 88 para 5</b> 14.12.2023	It was informed that documents relied upon in the charge-sheet have already been supplied to him with the charge-sheet and opportunity to inspect the records was given.
<b>Pg 88 para 6</b> 21.12.2023	The petitioner requested for permission to inspect the relevant record. On the same day, the petitioner was allowed and he <b>partly</b> inspected the record as being voluminous, petitioner sought more time to file written statement of defence. <b>[1<sup>st</sup> INSPECTION]</b>
<b>Page 88 Para 6</b> 15.01.2024/ 16.01.2024	Time granted to the petitioner till 21.01.2024 to file written statement of defence.
<b>Page 31 [P-4]</b> 19.01.2024	Another request for providing more time to file written statement of defence.
<b>Page 89 para 7</b> 06.03.2024	Time was granted till 21.03.2024 to file written statement of defence.
<b>Page 89 para 7</b> 21.03.2024	Petitioner again inspected the record. <b>[2<sup>nd</sup> INSPECTION]</b>
<b>Page 33 [P-5]</b> 13.05.2024/ 19.05.2024	Since no response of <b>[P-4]</b> was alleged to be received, thus, request to seek copies of same documents for filing written statement of defence was made by petitioner.
<b>Page 89 para 8</b> 31.05.2024	Petitioner asked to submit written statement of defence to the charge-sheet within fortnight by the Officiating Chairman of the Vigilance Disciplinary Committee as the requisite documents were already supplied to him with liberty to seek information regarding record from the concerned Sessions Division at his own level.

<b>Page 36 [P-6]</b> 09.07.2024	Another similar request seeking copies of same documents to file written statement of defence was made by the petitioner.
<b>Page 89 para 9</b> 02.09.2024	Request <b>[P-6]</b> was <b>rejected</b> by Disciplinary Committee being without merit. The Vigilance Disciplinary Committee recommended a Regular Departmental Enquiry and Sh.Atul Kasana, District & Sessions Judge, S.A.S. Nagar, Mohali was appointed as Enquiry Officer and Dr. Ajit Atri, Addl District & Sessions Judge, S.A.S. Nagar, Mohali, was appointed as the Presenting Officer.
<b>Page 90 para 10</b> 23.09.2024	Sh. Atul Kasana, District & Sessions Judge, SAS Nagar, Mohali, requested for permission to recuse, being class fellow for five years and have friendly and common relations.
<b>Page 90 paras 10 &amp; 11</b> 03.10.2024	Disciplinary Committee recommended Sh. Nirbhow Singh Gill, District & Sessions Judge, Jalandhar as the Enquiry Officer and Sh. Dharminder Paul Singla, Additional District Judge, Jalandhar as the Presenting Officer.
19.10.2024	Both officers appointed and the enquiry is under progress.
<b>Page 45 [P-9]</b> 07.01.2025	Written statement of defence attached.
<b>Page 41 [P-7]</b> 08.01.2025	Request made to Respondent No.1-Registrar General, Punjab and Haryana High Court to grant permission to file written statement of defence to the articles of charges.
<b>Page 44 [P-8]</b> 08.01.2025	Permission for engaging a counsel to represent the petitioner in the enquiry proceedings was made.
<b>Page 14 para 13</b> 14.01.2025	Date fixed for hearing before Enquiry officer and 5 important witnesses were summoned.
<b>23.01.2025</b>	Ist witness examined.
<b>After 23.01.2025 till date</b>	Examination of last witness out of 19 witnesses is going on.
<b>23.05.2025</b>	Next date of hearing for defence evidence.

4. From the aforesaid tabular illustration, it appears that the petitioner has missed the bus as regards the right to file a written statement of defence to the charge sheet. However, to adjudicate the said right of the petitioner, the facts stated above have to be tested on the anvil of the statutory

provisions governing the proceedings in disciplinary proceedings for major penalty. The petitioner being a member of superior judicial services of the State of Haryana in matters of disciplinary proceedings is governed by the Haryana Civil Services (Punishment & Appeal) Rules, 2016 (for brevity '2016 Rules'). Rule 7 of 2016 Rules lays down the procedure, while imposing major penalty, which is reproduced hereinbelow in toto:-

**7. Procedure for imposing major penalty.—**

**(A) Inquiry before imposition of major penalty—**

(1) No order of imposing a major penalty shall be passed against a person to whom these rules are applicable unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(2) Whenever the punishing authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against a Government employee, it may itself inquire into, or appoint under this rule or under the provisions of the Public Servants (Inquiries) Act. 1850, as the case may be, an authority to inquire into the truth thereof:

Provided that where there is a complaint of sexual harassment within the meaning of rule 6 of the Haryana Civil Services (Government Employees' Conduct) Rules, 2016, the complaints committee established in each department or officer for inquiring into such complaints shall be deemed to be the inquiry officer appointed by the punishing authority for the purpose of these rules and the complaints committee shall hold, if separate procedure has not been prescribed for the complaints committee for holding the inquiry into the complaints of sexual harassment, the inquiry as far as practicable in accordance with the procedure laid down in these rules.

(3) Where it is proposed to hold an inquiry against a Government employee under this rule, the punishing authority shall draw up or cause to be drawn up—

(i) the substance of imputation of misconduct or misbehaviour into definite and distinct statement of charges;

(ii) a statement of imputation of misconduct or misbehaviour in support of each statement of charge, which shall contain—

(a) a statement of all relative facts including any admission or confession made by the Government employee;

(b) a list of documents by which and a list of witnesses by whom, the statement of charges are proposed to be sustained.

(4) The punishing authority shall deliver or cause to be delivered to the Government employee, a copy of the statement of charges, the statement of the imputations of misconduct or misbehaviour and a list of document and witness by which each statement of charge is proposed to be sustained and shall require the Government employee to submit, within such time as may be specified (not more than 45 days), a written statement of his defence and to state whether he desires to be heard in person.

(5) In case the competent authority is satisfied with the written statement of defence given by the charged person, it may drop the charge-sheet without resorting to the procedure of conducting enquiry. Similarly, if the competent authority after considering the written statement of defence of the charged person is of the opinion that awarding of minor punishment shall meet the end of justice, then the authority competent may award minor punishment without following the procedure of conducting the enquiry.

(6) Subject to the provisions of sub-rule (5), on receipt of the written statement of defence, the punishing authority may—

- (i) itself inquire into such of the statement of charges as are not admitted; or,
- (ii) if it considers it necessary so to do, appoint under sub-rule (2), an inquiry officer for the purpose; and
- (iii) where all the statement of charges have been admitted by the Government employee in his written statement of defence, the punishing authority shall record its findings on each charge after taking such evidence as it may think fit and shall act in the manner laid down in rule 7(C);

(7) If no written statement of defence is submitted by the charged person within the specified period or extended period, if any, allowed by the punishing authority after due consideration, the punishing authority may itself inquire into the statement of charges or may, if it considers it necessary to do so, appoint under sub-rule (2), inquiry officer for the purpose.

(8) Where the punishing authority itself inquires into any articles of charge(s) or appoints an inquiry officer for holding an inquiry into such charge(s), it shall by an order appoint a Government employee or a legal practitioner, to be known as the 'Presenting Officer' to present on its behalf the case in support of the statement of charges.

(9) The punishing authority shall, where it is not itself the inquiry officer, forward to the inquiry officer—

- (i) a copy of the articles of charge(s) and the statement of the imputation of misconduct or misbehaviour;
- (ii) a copy of written statement of defence, if any submitted by the charged person;
- (iii) a copy of the statement of witnesses, if any, referred to in subrule (3);
- (iv) evidence proving the delivery of the documents required to be delivered to the charged person under sub-rule (4);

(v) a copy of the order appointing the Presenting Officer.

(10) The charged person shall appear in person before the inquiry officer on such day and at such time within ten working days from date of receipt by him of the statement of charges and the statement of the imputations of misconduct or misbehaviour as the inquiry officer may, by a notice in writing, specify in this behalf, or within such further time not exceeding ten days, as the inquiry officer may allow.

(11) The inquiry officer appointed to conduct enquiry shall serve maximum two notices to the charged person to appear before him for presenting his case. In case the charged person does not appear after the service of two notices, the inquiry officer shall be competent to proceed ex-parte in the matter. However, after considering the circumstances to be recorded, the inquiry officer may serve third notice also.

(12) If the charged person refuses or omits to plead, the inquiry officer shall require the Presenting Officer to produce the evidence by which he proposes to prove the statement of charges, and shall adjourn the case to a later date not exceeding thirty days, after recording an order that the charged person may for the purpose of preparing his defence—

(i) inspect within five days of the order or within such further time not exceeding five days as the inquiring authority may allow, the documents specified in the list referred to in sub-rule (3);

(ii) submit a list of witnesses to be examined on his behalf;

(iii) apply orally or in writing for the supply of copies of the statements, if any recorded, of witness mentioned in the list referred to in sub-rule (3), in which case the inquiring authority shall furnish to him such copies as early as possible and in any case not later than three days before the commencement of the examination of the witnesses on behalf of the punishing authority; and

(iv) give a notice within ten days of the order or within such further time not exceeding ten days, as the inquiring authority may allow for the discovery or production of any documents which is in the possession of Government, but not mentioned in the list referred to in sub-rule (3) and the Government employee shall also indicate the relevance of the document required by him to be discovered or produced by the Government.

(13) The person against whom a charge is being enquired into, shall be allowed to obtain the assistance of a Government employee or a retired Government employee if he so desires, in order to produce his defence before the inquiry officer. If the charge or charges are likely to result in the dismissal of the person from the service of the Government, such person may, with the sanction of the inquiry officer, be represented by counsel:

Provided that if in any enquiry, counsel is engaged on behalf of any department of Government, the person against whom the charge or charges are being enquired into, shall also be entitled to engage counsel:

Provided further that the assistance of a particular Government employee shall be allowed only if the inquiry officer is satisfied that he is of such rank as is appropriate in the circumstances of the case and that he may be spared by the department concerned for that purpose.

(14) If the charged person, who has not admitted any of the statement of charges in his written statement of defence, or has not submitted any written statement of the defence, appears before the inquiry officer, such officer shall ask him whether he is guilty or has any defence to make. If he pleads guilty to any of the articles of charge(s), the Inquiry Officer shall record the plea, sign the record and obtain the signature of the charged person thereon.

(15) The Inquiry Officer shall give to the charged person a finding of guilt in respect of those statement(s) of charges to which the charged person pleads guilty.

(16) The persons charged shall, subject to the conditions described in sub-rule (3) be entitled to cross examine the witness, to give evidence in person and to have such witness called, as he may wish; provided that the officer conducting the enquiry may for reasons to be recorded in writing, refuse to call any witness. The proceedings shall contain a sufficient record of the evidence and statement of the findings and the grounds thereof:

Provided that it shall not be necessary to frame any additional charge when it is proposed to take action in respect of any statement of allegation made by person charged in the course of his defence:

Provided further that the provisions of the foregoing sub-rule shall not apply where any major penalty is proposed to be imposed upon a person on the ground of conduct which has led to his conviction on a criminal charge; or where an authority empowered to dismiss or remove him, or reduce him in rank is satisfied that, for some reasons to be recorded by him in writing, it is not reasonably practicable to give him an opportunity of showing cause against the action proposed to be taken against him, or wherein the interest of the security of the state it is considered not expedient to give to that person such an opportunity.

(17) As per the provisions of the Punjab Departmental Enquiries (Powers) Act, 1955 (Punjab Act 8 of 1955), the officer conducting enquiry under these rules shall be competent to exercise the same powers for summoning of witnesses and for compelling the production of documents as are exercisable by a commission appointed for an enquiry under the Public Servants (Inquiries) Act, 1850 (Act 37 of 1850);

(18) If any question arises whether it is reasonably practicable to give to any person an opportunity to defend himself under sub-rule (2), the decision thereon of the punishing authority shall be final.

(19) Where any person has made a statement on oath, in evidence before any criminal or civil court, in any case, in which charged person was party and had full opportunity to cross-examine such person and where it is intended to prove the same facts as deposed to by such person in such statement in any inquiry under the Public Servants (Inquiries) Acts, 1850, shall not be necessary to call such person to give oral evidence in corroboration of that

statement. The certified copy of the statement previously made by him in any such case may be read as part of the evidence:

Provided that the officer conducting the inquiry shall, in interest of justice order the production of witness in person either for further examination or for further cross-examination by persons charged.

(20) The charged person shall not be allowed, except at discretion of the inquiry officer, to be exercised in the interest of justice to call as a witness in his defence any person whose statement has already been recorded and whom he has had opportunity to cross-examine, or whose previous statement has been admitted in the manner herein provided.

**Note 1.**— *Charges need not necessarily be framed in relation only to specific incidents or acts of misconduct. When reports received against an officer or a preliminary enquiry show that his general behaviour has been such as to be unfitting to his position, or that he has failed to reach or maintain a reasonable standard of efficiency he may be charged accordingly, and a finding of such a charge may be valid ground for the infliction of any authorized punishment, which may be considered suitable in the circumstances of the case. It shall be necessary to communicate the charges of misbehaviour or of inefficiency or of both as the case may be, to the officer/official concerned but statement which is to be communicated to the officer/official in support of the charges need not specify particular acts of misconduct. It shall be sufficient in the statement to give the list of the report on the basis of which misbehaviour or inefficiency is alleged.*

**Note 2.**— *Any person compulsorily retired from service in accordance with the procedure prescribed by this rule shall be granted such compensation, pension gratuity, or Provident Fund benefits as may have been admissible to him had he been discharged from service due to the abolition of his post without any alternative suitable employment being provided, under the rules applicable to his service or post on the date of such retirement.*

**(B) Submission of inquiry report—**

(1) After the close of the enquiry, the inquiry officer shall prepare his report which inter-alia indicate the following:-

- (a) statement of charges and the allegations framed against the Government employees;
- (b) his explanation, if any;
- (c) oral and documentary evidence produced in support of the charges;
- (d) oral and documentary evidence led in defence;
- (e) findings on the charges.

(2) The inquiry officer shall give clear findings on each of the charges so that the Government employee shall know from the findings on what ground he has been found guilty. Each finding shall be supported by evidence and reasons thereof. The findings are in the nature of a report to the competent authority to enable it to pass final orders. Such findings are to assist but do not bind him. He himself alone has to come to a final decision. Moreover, the inquiry officer shall not in any case recommend or propose any penalty.

(3) The inquiry officer, where it is not itself the punishing authority, shall forward to the punishing authority the records of inquiry which shall include—

(a) the report prepared by it under rule 7(B)(1);

(b) the written statement of defence, if any, submitted by the charged person;

(c) the oral and documentary evidence produced in the course of the inquiry;

(d) written briefs, if any, filed by the presenting officer or the charged person or both during the course of the inquiry; and

(e) the orders, if any, made by the punishing authority and the inquiry officer in regard to the inquiry.

**(C) Action on inquiry report—**

(1) After the enquiry against a charged person has been completed, the punishing authority shall forward or cause to be forwarded a copy of the enquiry report, and where the punishing authority does not agree with the enquiry report or any part thereof, the reasons for such disagreement shall be communicated along with the enquiry report, to the charged person who may submit, if he so desires, a written representation to the punishing authority within a period of one month from the date of such communication.

(2) The punishing authority shall consider the representation, if any, submitted by the charged person and record its findings before proceeding further in the matter as specified in rule 4.”

5. It may not be out of place to mention here that Rule 7 of 2016 Rules is a manifestation of the constitutional right granted to a civil post holder for affording reasonable and sufficient opportunities of being heard before one of the major penalties prescribed in Rule 4 of 2016 Rules is imposed.

5.1 A close scrutiny of the aforesaid Rule 7 of 2016 Rules reveals that whenever disciplinary proceedings are proposed to be held against a government employee, the disciplinary authority is obliged to deliver a statement of charges to the delinquent employee alongwith list of documents and witnesses by which each statement of charges is proposed to be sustained.

5.2 Rule 7-A(4) of 2016 Rules corresponding obliges the delinquent employee to submit written statement of defence to the charge sheet within an outer limit of 45 days.

5.3 In the instant case, the Articles of Charge was served upon the petitioner on 24.07.2023 and thus the petitioner was required to submit his written statement of defence latest by 07.09.2023. Admittedly, the petitioner failed to submit his written statement of defence by 07.09.2023.

5.4 Pertinently the petitioner remained in judicial custody from 10.08.2023 to 02.11.2023 in connection with FIR No. 6 dated 17.04.2023 lodged against him under Sections 7,8, 11 and 13 of the Prevention of Corruption Act read with Section 120-B of the Indian Penal Code, registered at Police Station, Anti Corruption Bureau, Panchkula. Petitioner was, however, released on bail on 02.11.2023. Therefore, the time period of 45 days for submission of written statement of defence would start running after serving of charge sheet on 24.07.2023 till his arrest i.e. from 25.07.2023 till 09.08.2023, which is 16 days and the remaining after the release of petitioner from judicial custody i.e. 02.11.2023. Thus, calculated from 24.07.2023, 45 days period expired on 01.12.2023 (16 days + 29 days = 45 days). However, no written statement of defence was submitted and the petitioner vide Annexures P-3, P-4, P-5 and P-6 kept seeking supply of various documents.

5.5 Rule 7-A(7) of 2016 Rules mandates that if no written statement of defence is submitted within a specified period or extended period, (respondents did not extend the period for submission of written statement of defence), the respondents are obliged under the law to appoint an Inquiry Officer for conducting enquiry proceedings which in this case was done as late as on 02.09.2024 by appointing an Inquiry Officer as well as a Presenting Officer.

5.6 Rule 7-A(12) of 2016 Rules further provides in mandatory terms that if the delinquent employee refuses or omits to plead (including omission to file written statement of defence), the Inquiry Officer shall produce the evidence by which he proposes to prove the statement of charges and after recording the statements of witnesses on behalf of the employer adjourn the case to a date not exceeding 30 days to allow the delinquent employee an opportunity to prepare his defence which includes inspection of documents specified in the list of documents referred to in Rule 7-A(3); submit a list of witnesses to be examined on behalf of the delinquent employee; seek supply of copies of statements of witnesses recorded on behalf of the Employer and afford an opportunity of 10 days to the delinquent employee extendable by another 10 days for discovery or production of any documents not mentioned in the list of documents under Rule 7-A(3) after indicating their relevancy.

5.7 Thereafter if the delinquent employee is given any documents under the process of discovery/production of documents, he is entitled to produce his defence witnesses or documents in support of his defence with corresponding right to the Presenting Officer to cross examine the witnesses and the documentary evidence.

5.8 Thereafter the Inquiry Officer closes the enquiry which was conducted in presence of the parties or ex-parte, as the case may be, and prepare and submit his enquiry report by holding each articles of charge to be either proved, disproved or partly proved. Thereafter, inquiry report is submitted before the Disciplinary/Punishing Authority, who is obliged to take action thereon after supplying copy of the said report to the delinquent employee. Once the order of exoneration or penalty is imposed, the disciplinary proceedings come to an end.

6. From the aforesaid analysis of Rule 7 of 2016 Rules, which lays down the detailed procedure right from the issuance of charge sheet up to the passing of the order of exoneration or penalty, it is clear that disciplinary proceedings have been divided into various stages and for nearly each stage a time frame has been prescribed within which the stage needs to be completed. There cannot be any delay beyond the timeline prescribed under Rule 7 of 2016 Rules.

6.1 The object of providing timeline in mandatory terms serves dual purposes. The delinquent employee is not kept in a state of uncertainty for indefinite period and the employer on the other hand also is not obliged to continue a tainted employee for long.

7. As such it is the bounden duty of the Inquiry Officer as well as the supervisory duty of the Disciplinary Authority (the High Court herein) to ensure disciplinary proceedings to conclude within the timeline prescribed under Rule 7(A)(1) to 7(B) & (C) in any case within an outer limit of 6-7months from the date of issuance of charge sheet.

7.1 Any delay caused or laxity on the part of the Inquiry Officer in concluding the disciplinary proceedings within six months ought to be viewed seriously and critically by the High Court giving, rise to a cause of misconduct on the part of Inquiry Officer unless there are cogent and compelling reasons for delay which ought to be put down in writing by the Inquiry Officer.

8. Reverting to the facts of the case, it is surprising to note that after issuance of the charge sheet on 24.07.2023, the first witness for the employer was examined as late as on 23.01.2025 which speaks volumes about the lack of promptitude on the part of the Inquiry Officer and further failure of the High Court in exercising proper superintendence over the Inquiry Officer.

8.1. In the instant case, not more than 45 days ought to have been granted for submission of written statement of defence starting from 24.07.2023 (the date of serving of charge-sheet).

9. It is informed by learned counsel for the respondent-High Court that disciplinary proceedings are still continuing against the delinquent employee and examination of last witness is going on and the next date is scheduled for 23.05.2025.

10. Pertinently there is no judicial order in this case restraining the Inquiry Officer or the Disciplinary Authority from proceeding ahead with the enquiry proceedings and therefore, the act of the Inquiry Officer in granting adjournments liberally for the purpose of filing of written statement of defence is not appreciable.

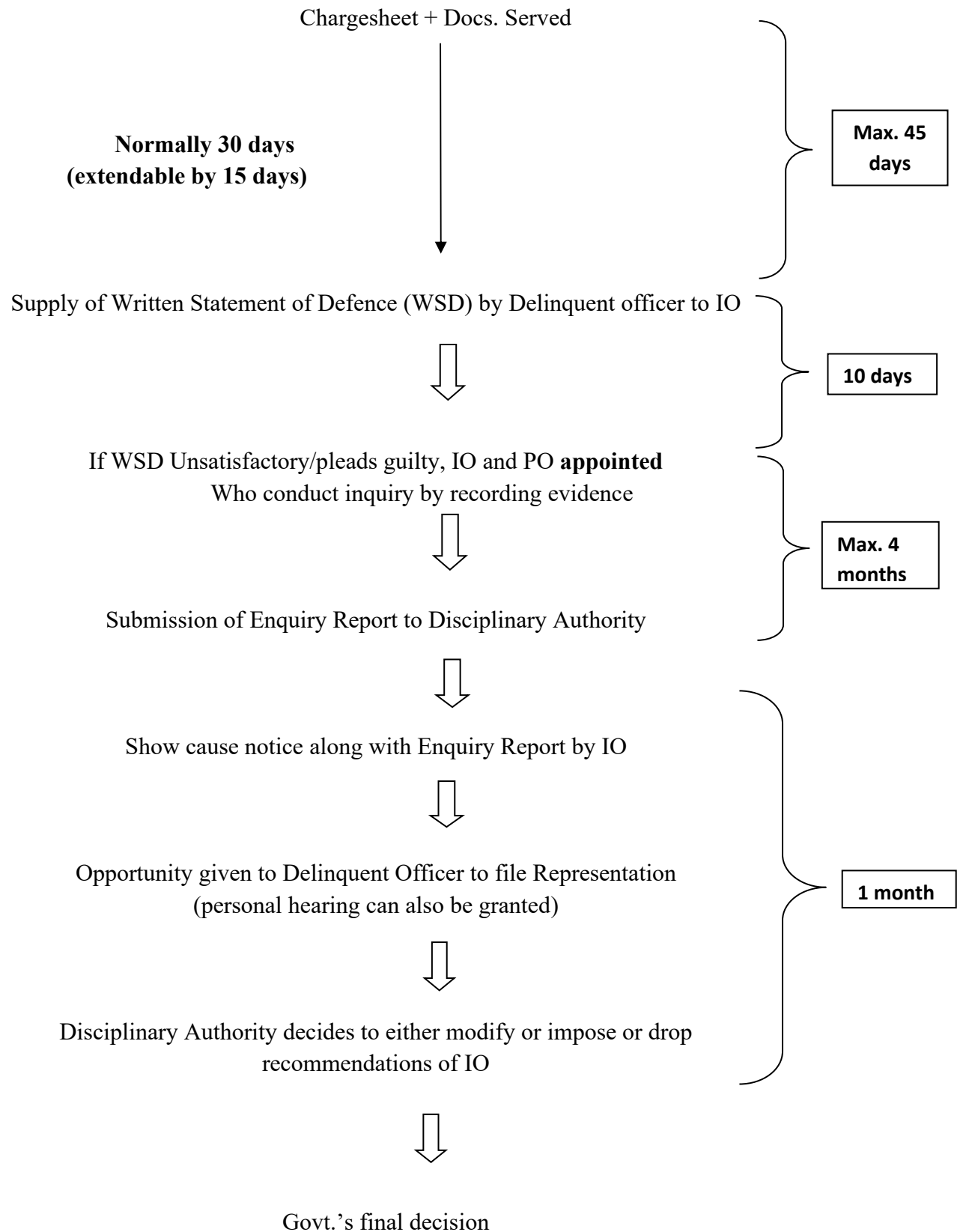
11. In the given facts and circumstances, the Inquiry Officer ought to have proceeded ex-parte against the delinquent employee on his failure to file the written statement of defence and proceeded to examine the witnesses and the documents produced by the employer instead of adjourning the proceedings repeatedly on one pretext or the other.

12. From the discussion supra, this Court is of the firm view that petitioner has no right to seek further time to file written statement of defence after expiry of 45 days and more so when the employer had declined grant of extension of time for filing written statement of defence.

13. Thus, this Court rejects the prayer made by the petitioner and dismisses this petition with a direction to the Inquiry Officer to conclude the disciplinary proceedings by submitting the Inquiry Report as early as possible and thereafter the High Court to make its recommendations expeditiously. The High Court is requested to ensure that in all, ongoing and as well as

disciplinary inquiries to be initiated in the future, the following time line be adhered to failing which punitive action be taken against Inquiry Officer or any other erring personnel of the High Court.

**MAXIMUM PERMISSIBLE TIME FRAME**



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**TOTAL: 6 MONTHS 25 DAYS**

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14. In view of the aforesaid decision of this Court, the affidavit filed by the petitioner dated 17.02.2025 seeking permission to file reply to the charge sheet subject to which the petitioner would withdraw his challenge to the appointment of the Inquiry Officer is rendered infructuous and is dismissed as such.

15. With the above these observations, the petition stands dismissed.

**(SHEEL NAGU)  
CHIEF JUSTICE**

**(H.S.GREWAL)  
JUDGE**

**23.05.2025**

ravinder

Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√