



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

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CWP-7854-2025

Date of Decision: 04.04.2025

**Rajbir Singh Kadian**

...Petitioner(s)

**Versus**

**State of Haryana and others**

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present:- Petitioner in person

Mr. Rohit Arya, Deputy Advocate General, Haryana

**TRIBHUVAN DAHIYA, J. (Oral)**

The petition has been filed seeking a writ of *certiorari* quashing the 'notice for appearance' dated 05.03.2024, Annexure P-2, issued by Deputy Superintendent of Police, Anti-Corruption Bureau, Rohtak Division, Rohtak, asking the petitioner to appear for inquiry concerning complaint no.03/dated 12.10.2020-Jhajjar.

2. Petitioner contends that he has served as Principal of Government Polytechnic for Women, Jhajjar, from 2006 to 2011, and during this period all accounts of the College were duly audited and no irregularity could be found. The said inquiry on an anonymous complaint alleging fraud in setting up a computer laboratory in the Polytechnic cannot be conducted. Under Rule 12(2)(b) of the Haryana Civil Services (Pension) Rules, 2016 (for short 'Rules of 2016'), there is a bar on conducting such inquiry after four years from the date of retirement. In this regard he has relied upon the law laid down by this



Court in *Mukesh Sharma v. The Haryana Agro Industries Corporation and another*, 2020(2) PLR 337, to that effect.

3. Leaned State counsel has received instructions from Deputy Superintendent of Police, Anti-Corruption Bureau, Rohtak Division Rohtak, vide memo dated 25.03.2025, which is taken on record as Annexure 'A'. It is to the following effect:

3. That it is respectfully brought to the kind notice of this Hon'ble Court that an anonymous complaint had been received by the office of the Chief Minister, Haryana, which had been marked to the Director General of Police (Vigilance), wherein it has been asserted unanimously that for the period from 2007 to 2011, a large fraud had taken place at the premises of Government Polytechnic for Women, Sirsa while effecting the set up of a computer lab. The petitioner had been named in the complaint along with the other officials of the Institute. It was further asserted that subsequent officiating principal had not brought the fact of huge loss to the State Exchequer caused by erring officials and had over-looked the same. It was further asserted that the forged bills had been got approved from the Government on the pretext of payment to the out-sourced employees.

4. That in wake of the contents of the complaint, so received by the State Vigilance Department, an enquiry is being conducted as per the procedure set out by law.

5. That the petitioner has been named as an accused in the complaint, he has been called upon to join the proceedings of the enquiry, so that he may not be condemned unheard with regards to the version contained in the complaint.

4. Heard.

5. It is apparent on record that the inquiry initiated against the petitioner pertains to an anonymous complaint alleging fraud in setting up a computer laboratory in Government Polytechnic for Women, Jhajjar, wherein

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the petitioner was posted as Principal for about five years. Initiation of an inquiry by the State Vigilance Department to inquire into allegations of corruption cannot be stopped on the plea of bar contained under Rule 12(2)(b) of the Rules of 2016, as the same pertains to conducting disciplinary proceedings against employees/retirees.

6. In view thereof, there is no ground to entertain the petition and it stands disposed of giving liberty to the petitioner to avail appropriate remedies in accordance with law against the said inquiry.

**(TRIBHUVAN DAHIYA)**  
**JUDGE**

**04.04.2025**  
*Payal*

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