

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA****CWP No. 7122 of 2026****Decided on: 08.05.2026**

Ravi

.....Petitioner

Versus

State of Himachal Pradesh and others

... Respondents

Coram**Hon'ble Mr. Justice Ajay Mohan Goel, Judge.****Whether approved for reporting?¹ Yes**

For the petitioner : Mr. Vinay Sharma, Advocate.

For the respondents : Mr. Pushpender Jaswal, Additional Advocate General.

Ajay Mohan Goel, Judge [Oral]

By way of this writ petition, the petitioner has *inter alia* prayed for the following relief:-

“(i) Issue a writ of Certiorari for quashing the impugned suspension order dated 27.04.2026 (Annexure P-1).

ii) Issue a writ of Mandamus directing the respondents to reinstate the petitioner in service with all consequential benefits.

iii) Direct the respondents representation dated 29.04.2026 (Annexure P-2) within a time-bound manner.

iv) Hold that the action of the respondents is arbitrary, discriminatory and violative of Articles 14, 16 and 21 of the Constitution of India.

¹ Whether reporters of the local papers may be allowed to see the judgment?



v) Direct the respondents to initiate appropriate action against the erring officials responsible for delay in updating DSC and clerical lapses;"

2. The petitioner has assailed Annexure P-1, which is an order of suspension passed by the Authority on the ground that the disciplinary proceedings are contemplated against him.

3. Confronted with the query as to how the petition is maintainable against the suspension order when it is settled law that suspension is no punishment, learned Counsel for the petitioner, by referring to the documents appended with the petition, submitted that the reason as to why the petitioner has been suspended are totally unsustainable as the petitioner was not responsible for the payment of salaries to the outsource employees. He also argued that no show cause notice was issued to the petitioner before placing him under suspension.

4. This Court is of the considered view that this is not the stage at which the Court can go into the issue of culpability of the petitioner qua the grounds on the basis of which the departmental proceedings may be held against the petitioner, in case, the disciplinary authority so desires.

5. Rule 10 of the CCS/CCA Rules *inter alia* provides that



the appointing Authority or any Authority, to which, it is subordinate or the Disciplinary Authority etc. as envisaged under the said Rule, by general or special order, may place a Government servant under suspension where a disciplinary proceeding against him is contemplated or is pending.

6. In law, there is no requirement that a show cause notice is to be issued before placing an employee under suspension. Further, as the petitioner has been placed under suspension on the ground of contemplated disciplinary proceedings, obviously, as observed herein also, this Court cannot go into the merit of the issues which are being raised by the petitioner, assailing the suspension order. Rule 10 of the CCS (CCA) Rules is a complete Code in itself with regard to suspension and how the same has to be dealt with. Petitioner has a remedy of filing the appeal against order of suspension under Rule 23(i) of the CCS (CCA) Rules, which right has not been availed by the petitioner. Further, in light of the fact that it is settled law that suspension is no punishment (see:- Union of India vs. Ashok Kumar Aggarwal, (2013) 16 SCC 147), there is no occasion for this Court to go into the mind to the disciplinary authority as to why the petitioner has been placed under suspension and the petition is accordingly dismissed. Pending miscellaneous



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

(Ajay Mohan Goel)
Judge

May 08, 2026
(*narender*)