

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

Date of Decision: 02.03.2015

1. CWP No.13701 of 2003(O&M)

HAFED

....PETITIONER

VS

MEHTAB SINGH AND ORS.

..... RESPONDENTS

2. CWP No.7825 of 2004

**THE HARYANA STATE CO-OPERATIVE
SUPPLY AND MARKETING FEDERATION
LTD.**

.....PETITIONER

VS

BHANWAR SINGH AND ANOTHER

....RESPONDENTS

CORAM: Hon'ble Mr. Justice Ajay Tewari

Present: Mr. Arvind Seth, Advocate for the petitioner/s
in CWP Nos.13701 of 2003 and 7825 of 2004.

Mr.Rajeev Sharma, Advocate for respondent No.1
in CWP No. 13701 of 2003.

Mr.D.D.Gupta, Advocate for respondent No.1
in CWP No. 7825 of 2004.

Mr.S.S.Dalal, Advocate for respondent No.2
in CWP Nos.13701 of 2003 and 7825 of 2004.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Ajay Tewari, J. (Oral):

This order shall dispose of the above mentioned two writ
petitions. Since common questions of law and facts are involved therein,

they are being disposed of by this common order.

These writ petitions were filed against the order setting aside the punishment imposed upon the private respondents. Originally when the petitions were filed interim orders were passed restraining the reinstatement of the private respondents. However, in 2004 admittedly those stay orders were vacated and that order became final. Admittedly thereafter the private respondents were reinstated, continued to work and have now retired on superannuation. In the circumstances the order of dismissal has been rendered infructuous. However, by the impugned order it had been held that the Managing Director of the HAFED was not empowered to pass the order of punishment and the appellate authority had remanded the matter back to take further action on the punishment to be awarded.

Learned counsel for the petitioner/s states that the Board of Directors would have no objection in considering the question regarding punishment afresh in the changed scenario when the order of dismissal has been rendered infructuous. Learned counsel for the respondents have no objection to this course of action.

The petitions are disposed of in the above terms. The Competent Authority is directed to pass the necessary order in accordance with law within a period of two months from the date of receipt of a certified copy of this order.

(AJAY TEWARI)
JUDGE

March 02, 2015
sunita