

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

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**Civil Writ Petition No.1243 of 2013
Date of Decision:18.05.2015**

Swaran Singhpetitioner

Versus

State of Punjab and othersrespondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

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

Present: Mr.Pardeep Kumar, Advocate
Mr.A.S.Cheema, Advocate
for the petitioner

Mr.Pankaj Mulwani, DAG Punjab

ARUN PALLI, J.(ORAL):-

A writ in the nature of certiorari is prayed for so as to quash the order dated 06.12.2012 (Annexure P3), vide which the appeal preferred by the petitioner against separate orders of punishments stopping the annual increments of the petitioner has been dismissed.

Petitioner is a retired Conductor. Post retirement i.e.28.02.2011, petitioner preferred an appeal (Annexure P1) against separate orders passed by the General Manager, Punjab Roadways, Tarn Taran, vide which his annual grade increments were permanently stopped. On a consideration of the matter in issue, the appellate authority i.e.respondent No.1 dismissed the appeal as petitioner had already filed a suit in the court of Sub-Judge First

Class, Tarn Taran, as regards seven separate orders of punishment passed against him. Further, he also filed a civil suit at Tarn Taran for restoration of 20 annual increments that were ordered to be stopped. That apart, he had also raised an industrial dispute for restoration of his increments but the matter was decided against him by Industrial Tribunal, Amritsar. That is precisely the stand that has even been set out in the written statement filed by the State. The position that has neither been controverted by filing any replication nor even otherwise during the course of hearing by learned counsel for the petitioner. Nothing is indicated in the petition as regards institution of the said two suits by the petitioner and their current status. Nothing is brought on record to show as to what was the fate of the industrial dispute raised by the petitioner, that is purported to have decided against him by Industrial Tribunal, Amritsar.

That being so, petition lacks both i.e. merits and bona fides, no interference in exercise of extraordinary jurisdiction under Article 226 of the Constitution of India is warranted. The petition being devoid of merit is accordingly dismissed.

18.05.2015

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(ARUN PALLI)
JUDGE