

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.116

C.W.P. No.14276 of 2015
Date of decision:17.07.2015

Karnail Singh

.....Petitioner

versus

Food Corporation of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Surinder Sharma, Advocate
for the petitioner.

DEEPAK SIBAL, J.

Through the present petition, the petitioner seeks quashing of charge-sheet dated 25.05.2005 (Annexure P-2), order of punishment dated 23.08.2006 (Annexure P-4), order dated 30.08.2007 (Annexure P-5) through which the appeal of the petitioner against the punishment order was dismissed and order dated 03.02.2010 (Annexure P-6) through which his review petition was rejected.

The order dismissing the review petition of the petitioner which is the last order passed in point of time is dated 03.02.2010. The present petition has been filed after an unexplained delay of about five and a half years. The petition is liable to be dismissed on the ground of delay and latches.

Even otherwise, the orders under challenge are well-reasoned and speaking orders and have been passed after complying with principles of natural justice warranting no interference.

On merits, the petitioner was one of the eight officials who had loaded and dispatched musty, smelly and fungus affected rice who had caused a loss of ₹ 7,32,798.42 to the respondent-Food Corporation of India (hereinafter referred to as the 'Corporation'). After ascertaining loss caused at the behest of the petitioner along with seven other office colleagues, the loss was divided amongst the eight employees including the petitioner. Thus, the recovery of ₹ 90,000/- was ordered against the petitioner. The petitioner's only defence that he had loaded only one wagon and thus, should be punished only for the faulty rice loaded in that wagon has been considered and rejected by the authorities in the orders impugned by the petitioner.

In view of the above, the present petition is ordered to be dismissed.

No costs.

(DEEPAK SIBAL)
JUDGE

July 17, 2015
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