

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

CWP No. 18063 of 2015
Date of decision: 28.08.2015

Jasbir Singh (through Attorney)

....Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. R.S. Kalra, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

After arguing for some time, counsel restricts his prayer to the following:-

“(iv) Issuing a Writ in the nature of Mandamus directing the respondents to grant one last fair chance to qualifying only one remaining departmental before terminating the service of the petitioner under the respondent department and further directing the respondents to decide the appeal dated 19.02.2015 (Annexure P-12).”

It is the case of the petitioner that on account of clause 15 in his appointment letter dated 24.06.2009 (Annexure P-2), his services have been dispensed with as he could not clear the departmental examination. It is his case that he had applied for additional opportunity since only one paper was not cleared. Instead of deciding the issue of additional opportunity, the show cause notice was issued and his services were dispensed with vide the impugned order dated 23.01.2015 (Annexure P-11).

Since admittedly the petitioner has filed an appeal before the concerned Appellate Authority, this Court is of the view that the request

made is genuine.

The present writ petition is accordingly disposed of with a direction to the Financial Commissioner (Taxation) to decide the appeal in accordance with law within a period of two months from the date of receipt of certified copy of the order. The petitioner be granted an opportunity of hearing while the appeal is decided.

28.08.2015
shivani

(G.S. SANDHAWALIA)
JUDGE