

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

**CWP No. 20828 of 2014(O&M)
Date of decision : 07.04.2015**

Baldev Singh

..... Petitioner

VS

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Krishan Singh, Advocate for the petitioner.

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 petition has been filed against the order dismissing the petitioner from service and the subsequent order rejecting his appeal. The petitioner was appointed as a constable with the respondent-India Reserve Battalion in the year 2002. In the year 2011 he was chargesheeted for being absent without any leave for 49 days and 9 hours. The petitioner pleaded illness but was not able to produce any medical record. The Inquiry Officer held him guilty of willful absence. The Disciplinary Authority found that he was a habitual absentee and absented himself 34 times for a total period of 654 days . It was in these circumstances that his act was found to be an act of gravest misconduct in a disciplined force and he was ordered to be dismissed from service. The Appellate Authority also considered all the facts and noticed that not only did the petitioner cared to seek prior permission or

leave from senior officers, he never sent any intimation also during the time when he was absent. The Appellate Authority also noticed that for the earlier action of his wilful absence he had been treated leniently and in these circumstances upheld the order of dismissal.

I find no reason to take a different view.

Petition is dismissed.

Since the main case has been decided, the Civil Misc. Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

April 07 , 2015
sunita