

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Case No. : C. W. P.No. 2502 of 2013

Date of Decision : July 24, 2015

Surinder Kumar Mitra Petitioner

Vs.

Oriental Insurance Company Limited
and another Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

* * *

To be referred to Reporters or not ?

Whether the judgment should be reported in the digest ?

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Present : Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Jagtar Kureel, Advocate
for the respondents.

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DEEPAK SIBAL, J. :

The petitioner, who was working as a Development Officer with the respondent Oriental Insurance Company Limited (hereinafter referred to as – the Insurance Company), was served with a charge-sheet dated 18.12.2006 on account of various acts of omission and commission on his part. His reply to the charges, having been found to be unsatisfactory, he was subjected to a departmental inquiry, which found him guilty. The Inquiry Report was supplied to the petitioner, who submitted his comments thereupon, after consideration of which, the petitioner was

inflicted with the following punishment :-

*“Reduction to minimum in time scale of
Dev. Officer Grade I besides recovery of
Rs.2,00,000/- [Rupees two lacs only]”*

The punishment, as meted out to the petitioner, was challenged by him through a departmental appeal. The grounds of appeal, when perused, show that the petitioner had raised several grounds therein. In addition thereto, in support of the grounds raised, the petitioner had also referred to and relied upon several judgments of the Apex Court, as also different High Courts.

A perusal of the order dated 25.08.2011 (Annexure P-7) passed by the Appellate Authority shows that none of the grounds, as raised by the petitioner, has been considered. The order passed by the Appellate Authority can be termed as nothing but a non-speaking order. The same cannot be sustained.

In view of the above, order dated 25.08.2011 (Annexure P-7) is quashed. The matter is remitted back to the Appellate Authority, who would now consider each of the grounds mentioned by the petitioner in his 'Grounds of Appeal' and pass a well reasoned order thereupon, within a period of three months from the date of receipt of a certified copy of this order.

**(DEEPAK SIBAL)
JUDGE**

July 24, 2015
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