

CWP No.26247 of 2015

[1]

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

**CWP No.26247 of 2015
Date of decision:17.12.2015**

Kuldeep Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Neeraj Kumar, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The petitioner has challenged the order passed by the Superintendent of Police, Bhiwani dated 04.09.2007 by which he has been dismissed from service, order passed by the Inspector General of Police, Hisar Range, Hisar dated 20.08.2009 by which his appeal was dismissed and the order dated 28.05.2010 by which his revision petition was dismissed by the Director General of Police, Haryana.

Counsel for the petitioner has submitted that the punishment of dismissal from service is an extreme punishment which should not have been imposed upon the petitioner because he was not maintaining good health and was suffering from mental disorder. In support of his submission, he has relied upon a judgment of this Court in the case of **Surinder singh vs. State of Punjab**, 2000(1) PLR 621.

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I have heard learned counsel for the petitioner and perused the available record.

Not only that the petitioner has assailed the validity of the aforesaid order(s) passed way-back in the year 2010 and his writ petition suffers from delay and latches but also on merits the order(s) of dismissal from service have been passed because he has been found to be incorrigible. As per his service record, the petitioner was awarded punishment of stoppage of two increments with permanent effect in a regular departmental enquiry vide OB No.83/06 for remaining absent from duty. He was also awarded punishment of stoppage of two increments with permanent effect vide OB No.196/06 in a regular departmental enquiry for remaining absent from duty. He also remained absent from duty on many different occasions and his absence was treated as leave without pay. The petitioner could not explain his absence from duty from 06.03.2006 to 01.06.2006 and 03.06.2006 to 13.11.2006, even with the aid of the medical evidence placed on record, therefore, there is no error in the impugned order(s) passed by the competent authorities while dismissing him from service on 04.09.2007 and dismissing his appeal and revision on 20.08.2009 and 28.05.2010 respectively.

Consequently, the present petition is hereby dismissed being denuded of any merit.

December 17, 2015
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(Rakesh Kumar Jain)
Judge