

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

CWP No. 3728 of 2013 (O&M)

Date of decision: 30.04.2015

Swaran Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Anil Chawla, Advocate for the petitioner.

Mr. Mehardeep Singh, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By way of the instant writ petition, under Articles 226/227 of the Constitution of India, the petitioner seeks quashing of charge sheet (Annexure P-1), punishment order dated 29.12.1999 (Annexure P-4) and order dated 26.05.2000 (Annexure P-5), passed by respondent No.3 and order dated 01.08.2012 (Annexure P-6), passed by respondent No.2.

The learned counsel for the petitioner refers to Annexure P-6 and states that it was passed on the premise that the petitioner had been dismissed from service, whereas only the three increments had been ordered to be stopped with cumulative effect, vide Annexure P-4, which was subsequently upheld, vide order dated

26.05.2000 (Annexure P-5).

Keeping in view the fact that the foundation of the order dated 01.08.2012 (Annexure P-6) is against the record, the impugned order dated 01.08.2012, passed by respondent No.2 is set aside, the present petition is disposed of with a direction to respondent No.2 to decide the appeal of the petitioner afresh by passing a speaking and reasoned order after giving an opportunity of hearing to the petitioner, within a period of four months from the date of receipt of a certified copy of this order.

30.04.2015

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(JITENDRA CHAUHAN)
JUDGE