

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Letters Patent Appeal No.1886 of 2014 (O&M)
DATE OF DECISION: 23.01.2015

Kulwinder Singh

....Appellant

versus

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR.JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. H.C. Arora, Advocate for the appellant
..

S.J. VAZIFDAR, ACTING CHIEF JUSTICE (Oral) :

This is an appeal against the order of learned single Judge dated 12.08.2014 dismissing the writ petition.

2. The appellant's grievance is that no action has been taken against respondent No.4-SHO, Police Station Bullowal. The appellant contends that the said respondent wrongly mentioned that a case was pending against the appellant as a result whereof the appellant was denied a passport for some time.

3. A departmental enquiry has been held in which respondent No.4 has been exonerated. No action has been taken against him. The learned Judge rightly observed that even assuming that there was any negligence on the part of respondent No.4, it was open for the disciplinary authority to take suitable action including refusing to punish him especially as it was

found that there were no mala fides on his part. The impugned order, therefore, warrants no interference.

It is, however, clarified that in the event of the appellant filing any proceedings for compensation and damages, the same would be decided on their own merits.

4. The appeal is accordingly dismissed.

As the appeal has been dismissed, the application seeking condonation of delay in filing the appeal is allowed.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

23.01.2015
parkash*

(AUGUSTINE GEORGE MASIH)
JUDGE