

In the High Court of Punjab and Haryana, at Chandigarh

Letters Patent Appeal No. 2092 of 2014 (O&M)

Date of Decision: 19.11.2015

Sahib Singh

... Appellant

Versus

State of Haryana and Others

... Respondents

**CORAM: Hon'ble Mr. Justice Satish Kumar Mittal.
Hon'ble Mr. Justice Shekher Dhawan.**

Present: Mr. Narender Pal Bhardwaj, Advocate
for the appellant.

Mr. Sudeep Mahajan, Additional Advocate General,
Punjab, for respondents No.1 and 2.

Mr. Deepak Sharma, Advocate
for Mr. Pankaj Bali, Advocate
for respondent No.3.

Satish Kumar Mittal, J.(Oral)

This intra-court appeal under Clause-X of the Letters Patent has been filed against the judgment dated 26.8.2014 passed by learned Single Judge, whereby the writ petition (CWP No. 12532 of 2014), filed by the appellant challenging the order of punishment of imposition of a minor penalty of stoppage of one increment without cumulative effect, has been dismissed.

We have heard learned counsel for the parties and have gone through the impugned order.

In this case, charge sheet was served upon the appellant on the allegations that he had permitted to change optional subjects of the student from Sanskrit to Home Science in the 12th class on the

request of Gram Panchayat and parents of the student without having any authority in that regard. In the domestic inquiry due procedure was followed. The appellant was given full opportunity to defend the charges. Ultimately on the basis of the inquiry report the aforesaid punishment of stoppage of one increment without cumulative effect was imposed. The appeal filed against the said order was also dismissed. Learned Single Judge, after considering all the aspects, dismissed the writ petition while coming to the conclusion that proper and fair inquiry was held in which the appellant was given due opportunity and on proving the charges the said punishment has been imposed. A contention was raised before the learned Single Judge that in civil suit the powers of drawing and disbursing were withdrawn from the appellant and a finding was recorded in his favour. Learned Single Judge has clearly observed that the finding recorded in the civil suit has nothing to do with the present case as both the proceedings and issues are entirely different.

Before us also the said contention has been raised.

We do not find any substance in the same and do not find any reason to interfere in the well reasoned order passed by learned Single Judge.

Dismissed.

(Satish Kumar Mittal)
Judge

(Shekher Dhawan)
Judge

November 19, 2015

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