

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

LPA No. 692 of 2014

Date of Decision:-31.03.2015

Amrik Singh

.....Appellant

Versus

The Punjab State Cooperative Agricultural Dev. Bank Ltd.
Chandigarh

.....Respondent

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL.
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU.

Present:- Mr. Manjit Singh Sarao, Advocate
for the appellant.

Mr. Nitin Kaushal, Advocate
for respondent.

SATISH KUMAR MITTAL, J.(Oral)

This intra-court appeal has been filed under Clause-X of the Letters Patent against the order dated 10.1.2014 passed by the learned Single Judge, whereby the writ petition filed by the appellant challenging the order of punishment dated 15.11.2013 passed by the Managing Director whereby punishment of stoppage of four annual increments with cumulative effect has been imposed upon the appellant, has been dismissed, while observing that the appellant had not raised any objection at the initial stage when the said order was passed.

The only contention of learned counsel for the appellant is that in the instant case the punishment order has been passed by the Managing Director of respondent-Bank and as per Appendix-3 of

the Service Rules in case of a Field officer against the order of Punishing Authority the appeal lies to the Managing Director. Since in the present case, the order of punishment itself has been passed by the Managing Director, therefore, the appellant has been denied the statutory right of appeal.

This contention in our view is without any substance.

In the written statement filed by respondent-Bank, it has been specifically stated that in the instant case though order of punishment has been passed by the Managing Director but in case an appeal is filed against the said order, the same will be heard by the Board of Directors and not by the Managing Director.

In view of the said stand taken in the written statement, learned counsel for the appellant states that he does not want to pursue this appeal and wants to withdraw the same with liberty to file an appeal against the order of punishment within a period of one month.

Dismissed as withdrawn with the aforesaid liberty.

If any such appeal is filed within the said period, learned counsel for respondent undertakes that the same will be considered and decided by the Board of Directors on merit, expeditiously.

(SATISH KUMAR MITTAL)
JUDGE

31.03.2015
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(HARINDER SINGH SIDHU)
JUDGE