

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision: August 28, 2015.

SHASHANK TRIPATHI

... **Appellant**

v.

PO, INDUS. TRIBUNAL
CUM LC GURGAON AND ANR.

... **Respondents**

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. Whether to be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

CORAM: **HON'BLE MR. JUSTICE HEMANT GUPTA**
HON'BLE MRS. JUSTICE RAJ RAHUL GARG

Present: Shri Virender Kumar, Advocate, for the appellant.

Hemant Gupta, J. (oral)

CM-950-951-LPA-2015

For the reasons stated in the applications, the same are allowed and delay of 44 days in filing and 95 days in re-filing the appeal is condoned.

LPA-468-2015

Present Letters Patent Appeal under Clause X of the Letters Patent is directed against an order passed by the learned Single Bench of this Court on 19.8.2014 whereby the writ petition challenging the award of the Labour Court was dismissed.

The sole ground of challenge before this Court is that copy of the inquiry report was supplied along with the show cause notice whereas

such report should have been supplied before serving of the show cause notice.

Such issue has been examined by a Full Bench of this Court vide a judgment dated 26.4.2010 passed in CWP No.4149 of 2007 (Mushlim Khan v. Dakshin Haryana Bijli Vitran Nigam Limited and others) following a judgment of the Hon'ble Supreme Court in Haryana Financial Corporation & another v. Kailash Chandra Ahuja, (2008)2 SCC (L&S) 789, wherein it has been held that copy of the inquiry report is required to be supplied only with the show cause notice and not anterior to the issuance of show cause notice. In view of this, we do not find any merit in the appeal and the same does not call for any interference.

Dismissed.

[**Hemant Gupta**]
Judge

[**Raj Rahul Garg**]
Judge

August 28, 2015.
kadyan