

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

LPA No.824 of 2015(O&M)

Date of decision:28.5.2015

Balwant Singh

....Appellant

VERSUS

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

**HON'BLE MR. JUSTICE HARINDER SINGH
SIDHU**

Present: Mr. Manmohan Singh Kang, Advocate for the appellant.

HEMANT GUPTA, J.(Oral)

The present Letters Patent Appeal under Clause X of the Letters Patent is directed against an order passed by learned Single Bench of this Court on 13.05.2015 whereby the writ petition was dismissed in view of alternative remedy of appeal against the order of dismissal of services of the appellant.

Learned counsel for the appellant points out that the order of dismissal has been passed by the respondent-Co-operative Society against which the Service Rules contemplate an appeal before the Deputy Registrar, Cooperative Societies, Punjab but the Deputy Registrar, Cooperative Societies, Punjab has earlier ordered an inquiry against the appellant. Therefore, it is the same Officer who shall be hearing the appeal against the order of dismissal of services.

During the course of arguments, learned counsel for the appellant has admitted that the earlier order passed by the Deputy Registrar was by a different Officer whereas the appeal lies before another Officer.

In view of the said fact, we do not find that the effective remedy of appeal provided under Service Rules is not available to the appellant.

We do not find any merit in the present Letters Patent Appeal.

Dismissed.

(HEMANT GUPTA)
JUDGE

MAY 28, 2015
'D. Gulati'

(HARINDER SINGH SIDHU)
JUDGE