

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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RSA No. 1748 of 2014 (O&M)

Date of decision : May 07, 2015

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Punjab Warehousing Corporation Limited, Chandigarh
through its Managing Director and others

.....Appellants

Versus

Leela Bahadur

.....Respondent

*** * * * ***

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

*** * * * ***

Present: Mr. Anil Kumar Sharma, Advocate for the appellants.

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1. *Whether Reporters of Local Newspapers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the digest?*

RITU BAHRI, J

C.M No. 4263-C of 2013

C.M is allowed subject to all just exceptions.

RSA No. 1748 of 2014

Present regular second appeal has been filed against the judgment and decree dated 24.9.2013 passed by the Additional District Judge, Ludhiana whereby an appeal against the judgment and decree dated 29.4.2013 passed by the Civil Judge (Junior Division), Ludhiana was dismissed. Vide the trial Court judgment the suit of the respondent-plaintiff (hereinafter referred to as 'the plaintiff') was decreed.

The facts of the suit filed by the plaintiff, in brief are that the plaintiff joined service with the appellants-defendants (hereinafter

referred to as 'the defendants') as a helper on 19.8.1975. He was promoted as D.O on 6.4.1994. The plaintiff was falsely implicated in a criminal case bearing no. 187 dated 8.12.2003 under Sections 409, 420 and 120-B of IPC at Police Station Makhu along with others. Enquiry was conducted by the DSP, Dharamkot on 17.3.2004 and the plaintiff was found to be innocent. The charges were framed in the criminal Court on 16.4.2006. The name of the plaintiff did not figure in the names of accused in the said case. After the trial, the accused were convicted and the plaintiff was not an accused in the said trial as per judgment ex. PB. The annual grade increments from 1.1.2004 to 1.1.2009 were withheld. Neither any show cause notice was issued to the plaintiff nor any enquiry was conducted against the plaintiff.

The suit of the plaintiff was decreed and the defendants were directed to pay arrears of annual increments and arrears of proficiency step up increments due to the plaintiff in accordance with the applicable rules along with interest @ 6% per annum. Against the judgment of the trial Court, an appeal was filed by the defendants which was dismissed by the appellate Court.

After perusing the case and hearing counsel for the parties, I find that there is no illegality and infirmity in the judgments of the Courts below. No substantial question of law arises for determination in this regular second appeal. Hence, the same is dismissed.

May 07, 2015

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**(RITU BAHRI)
JUDGE**