

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

CWP No.15940 of 2016

Date of decision : August 08, 2016

Veena Kumari

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Ramesh Chand Sharma, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Learned counsel for the petitioner contends that the petitioner retired from service as Deputy Superintendent on 13.11.2014 from the office of Registrar Co-operative Societies, Panchkula, Haryana. It is contended that before her retirement, a charge-sheet was issued to her. After her retirement, punishment order dated 24.08.2015 (Annexure P-9) was passed, whereby 1% cut in the pension of the petitioner was imposed. The said order is non-speaking order. Similarly, her departmental appeal has been dismissed by the Addl. Chief Secretary to Government, Haryana, Cooperation Department, by passing a non-speaking order dated 28.06.2016 (Annexure P-11).

Learned counsel for the petitioner relies upon the authority of this Court delivered in case of ***“R.K. Garg v State of Haryana and another”, 2014(2) S.C.T., 540.***

A perusal of the impugned order shows that the following reasons have been given for awarding the punishment:

“After going through office record as well as enquiry report, it has been observed that wrong facts regarding

promotion of Statistical Assistant were put up to the officers which was a serious lapse on her part. She could not produce any additional document/proof in her favour at the time of personal hearing. Therefore, in view of the above, I order to award her punishment of one percent cut in pension.”

I am of the view that it is not required that only a detailed order is a speaking order. Even a brief order with reasoning amounts to speaking order. It was observed by the punishing authority that wrong facts were put up by the petitioner for promotion of Statistical Assistant, which is a serious lapse on her part. Considering the said lapse, punishment of 1% cut in the pension was imposed upon her.

Learned counsel for the petitioner further contends that in this case no action has been taken against the senior officer, who had approved the proposal.

I am also of the view that this is no ground to set aside the impugned order. This Court does not find any reason to substitute its findings with the findings of the punishing authority. There is no illegality or infirmity in the impugned order.

As such, the present petition is dismissed.

(KULDIP SINGH)
JUDGE

August 08, 2016

sarita

Whether speaking / reasoned Yes

Whether Reportable: No