

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Writ Petition No.21449 of 2014

Date of Order: 15.09.2016

Paul Singh

..Petitioner

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

**Present: Mr. Parveen Kumar Garg, Advocate,
for the petitioner.**

Mr. Avinit Avasthi, AAG, Punjab

DAYA CHAUDHARY, J. (Oral)

Learned counsel for the petitioner submits that co-accused of the petitioner against whom the same allegations were there and charge sheet was issued like the petitioner, approached this Court by way of filing ***Civil Writ Petition No.14799 of 2010*** titled as ***Dula Singh v. State of Punjab and another***, which was allowed on 20.07.2011 and charge sheet has been quashed.

Learned counsel for the petitioner submits that the same allegations are there against the petitioner but still departmental proceedings were initiated and thereafter he has been awarded punishment on 16.07.2014, order of recovery was also passed.

Keeping in view the submissions made by learned counsel for the petitioner, the impugned order of punishment, dated 16.07.2014, is hereby quashed and the present petition is disposed

of with a direction to the respondent-State to reconsider the case of the petitioner in view of decision in ***Dula Singh's case (supra)***. The necessary exercise be done as per rules and law applicable, within a period of two months from the date of receipt of certified copy of this order.

In case, the petitioner is still aggrieved in any manner, he is at liberty to avail the appropriate remedy. .

However, it is made clear that till the case of the petitioner is reconsidered and order is passed, no recovery shall be effected from him.

September, 15, 2016
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No