

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Case No. : C. W. P.No. 21564 of 2015

Date of Decision : February 16, 2016

Ompati Petitioner
vs.
State of Haryana and another Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

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To be referred to Reporters or not ?

Whether the judgment should be reported in the digest ?

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Present : Mr. Abhimanyu Singh, Advocate
for the petitioner.

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DEEPAK SIBAL, J. :

Through the present petition, challenge is made to order dated 14.11.2005 (Annexure P-1), through which the petitioner's late husband has been ordered to be dismissed from service.

After hearing counsel for the petitioner and perusing the record, the relevant facts, which emerge are that the petitioner's late husband, while serving the Haryana Police as a Constable, was departmentally proceeded against for having unauthorizedly absented himself for a total period of 150 days. In the departmental inquiry, the petitioner had submitted in writing that he did not want to produce any witness in his defence. After considering the evidence on record, the

Inquiry Officer found the petitioner's late husband to be guilty and on the basis thereof, after issuance of Show Cause Notice, through the impugned order, the petitioner's late husband was ordered to be dismissed from service. The appeal as also the revision petition filed by him against the aforementioned order of punishment was dismissed by the Inspector General of Police, Rohtak Range, Rohtak and the Director General of Police, Haryana, respectively.

No procedural violation of any Rule or principles of natural justice, either during the inquiry or the punishment proceedings, have been pointed out.

On merits, the Inquiry Officer-cum-Punishing Authority, Appellate Authority and Revisional Authority have gone into the issue and concurrently rejected the defence set up by the petitioner's late husband. No perversity or arbitrariness in either of the aforementioned orders has been pointed out.

Even otherwise, unauthorized absence for 150 days by a member of the disciplined force, to which the petitioner's late husband belonged, is not pardonable and for which, no leniency has rightly been shown by the respondent Authorities.

In view of the above, finding no merit in the writ petition, I order dismissal of the same with no order as to costs.

(DEEPAK SIBAL)
JUDGE

February 16, 2016