

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Case No. : C. W. P.No. 233 of 2016

Date of Decision : January 19, 2016

Harjeet Singh ..... Petitioner  
vs.  
State of Haryana and others ..... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

\* \* \*

*To be referred to Reporters or not ?*

*Whether the judgment should be reported in the digest ?*

\* \* \*

Present : Mr. Ravindra Jain, Advocate  
for the petitioner.

\* \* \*

**DEEPAK SIBAL, J. :**

The petitioner, who is serving the respondents as an Assistant Sub Inspector in the Haryana Police, has filed the present petition seeking quashing of punishment of stoppage of one annual increment with cumulative effect, imposed upon him vide order dated 03.12.2013 (Annexure P-12) passed by the Inspector General of Police, Karnal Range, Karnal, as also the order dated 23.02.2015 (Annexure P-13) passed in appeal by the Director General of Police against the aforesaid punishment order.

A few relevant facts, which need to be noticed for adjudicating upon the present petition, are that the petitioner, who is a Member of the Haryana Police, after seeking leave for ten days, left for the United States of America (USA) to return back only after over six months. For the unauthorized leave on his part, he was issued a charge-sheet, to which he responded. His response to the charge-sheet, being found unsatisfactory, he was subjected to a departmental inquiry, which found him guilty of unauthorized leave for over six months. A copy of the Inquiry Report with the proposed punishment was served upon the petitioner, to which he also filed reply, after consideration of which, the punishment of stoppage of one annual increment with cumulative effect was imposed on the petitioner by his punishing Authority – Inspector General of Police, Karnal Range, Karnal. The petitioner preferred appeal against the aforesaid punishment order before the Director General of Police, which was dismissed.

The sole argument raised by counsel for the petitioner to justify unauthorized absence on the part of the petitioner was that the petitioner could not come back from USA for medical reasons.

The aforesaid issue sought to be raised on behalf of the petitioner has been considered and rejected by the Inquiry Officer, the punishment Authority and the Appellate Authority primarily on the ground that the petitioner had initially sought and got leave for only ten days for going to USA. Even if he was not well, as a member of the disciplined

force, the least that was required of him was to seek leave from the respondents on that count. He admittedly did not bother to do so. It is not the petitioner's case that he was not in a physical state, where he could not even inform the respondent Authorities with regard to his illness and seek extension in the leave already granted. This cannot be considered to be a responsible act on the part of any employee, much less a member of the disciplined force, of which the petitioner is. For this act of irresponsibility on his part, punishment of stoppage of one annual increment with cumulative effect has been imposed on him, with which I concur.

In view of the aforesaid, finding no merit in the present petition, the same is hereby dismissed.

**( DEEPAK SIBAL )**  
**JUDGE**

**January 19, 2016**  
*monika*