

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

CWP No. 26845 of 2015
Date of decision: 05.04.2016

Madan Lal

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Hemant Saini, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

Notice of motion.

Ms. Deepali Puri, Advocate accepts notice on behalf of
respondent nos. 2 and 3-Corporation.

The petitioner is aggrieved against the non-decision of the
appeal filed by him against the order dated 28.11.2013 (Annexure P-2) vide
which, he was compulsorily retired from service under Rule 5(vii) of the
Punjab Civil Services (Punishment & Appeal) Rules, 1970 and the period
from 14.09.2012 to 13.07.2013 was treated as unauthorized absence and
was sanctioned as leave without pay.

On the last date, there was a dispute regarding whether the
appeal was pending or not.

Counsel for the petitioner has produced before this Court the
original receipt dated 30.12.2013 issued by the post office whereby, the
appeal (Annexure P-3) was sent to the Chairman of the Corporation-

respondent no. 2 by registered post. Photocopy of the appeal has also been handed over to counsel for the Corporation.

In such circumstances, this court deems it fit that the said photocopy be treated as an appeal, in case the original is not traceable. Respondent no. 2 shall decide the appeal within a period of 4 months from the date of receipt of certified copy of the order.

Writ petition stands disposed of accordingly.

05.04.2016
shivani

(G.S. SANDHAWALIA)
JUDGE