

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

CWP No.25986 of 2016

Date of Decision:15.12.2016

Kulwant Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. S.K. Sandhir, Advocate for the petitioner.

P.B. BAJANTHRI J.

In the instant writ petition, the petitioner has questioned the validity of the order dated 7.5.2012 by which Disciplinary Authority/Director Rural Development and Panchayat Department, Punjab, has imposed the penalty of withholding of three annual increments.

The petitioner has a statutory remedy before the Appellate Authority and he has filed appeal before the Appellate Authority on 27.7.2012. The appellate authority yet to take decision on the appeal which is pending consideration before it.

In view of the pendency of the appeal before the appellate authority, challenge to order dated 7.5.2012 is premature. Therefore, the appellate authority is directed to consider the petitioner's appeal dated 27.7.2012 within a period of three months from today.

Accordingly, petition stands disposed of.

Learned counsel for the petitioner at this stage submitted that he has also sought writ for mandamus insofar as consideration of MACP. It is a different cause of action. However, liberty is granted to the petitioner to file independent writ petition, if so advised.

15.12.2016
rajeev

**(P.B. Bajanthri)
Judge**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No