

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.8259 of 2014 and
Date of decision: February 04, 2016

The Union Territory, Chandigarh and others

..... Petitioners

Versus

Jai Bhagwan and others

..... Respondents

CWP No.1865 of 2015
Date of decision: February 04, 2016

Chandigarh Administration through Home Secretary and others

..... Petitioners

Versus

Ashok Kumar and another

..... Respondents

**CORAM: HON'BLE MR. JUSTICE M. JEYAPPAUL
HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Swatantar Kapoor, Advocate
for the petitioner (in CWP No.8259 of 2014).

Mr. Vivek Chouhan, Advocate
for the petitioner (in CWP No.1865 of 2015).

Mr. Rohit Seth, Advocate
for respondent No.1 (in CWP No.1865 of 2015).

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

M. JEYAPPAUL, J. (ORAL)

CWP No.8259 of 2014 and CWP No.1865 of 2015 have been filed by the Union Territory, Chandigarh challenging the order passed by the learned Central Administrative Tribunal, Chandigarh Bench directing the writ petitioners herein to reconsider the quantum of punishment imposed on the private respondents herein.

We also on perusal of the entire records made an observation during the hearing of these writ petitions on 10.12.2015 that the punishment awarded to the private respondents was grossly disproportionate to the alleged misconduct committed by them. Pursuant to which, it is found that the third petitioner SSP, Union Territory, Chandigarh has reconsidered the quantum of punishment awarded to the private respondents and reduced the punishment of dismissal from service to that of punishment of forfeiture of five years of approved service for increment purposes with permanent effect. The period when the private respondents were out of service on account of their dismissal was also ordered to be treated as extraordinary leave.

In view of the above development in this case, we are of the considered view that the very writ petitions which have been filed challenging the order passed by the Tribunal directing the writ petitioners to reconsider the quantum of punishment has virtually become infructuous. Therefore, these two writ petitions stand dismissed as infructuous.

(M. JEYAPPAUL)
JUDGE

(RAJ MOHAN SINGH)
JUDGE

February 04, 2016
Dinesh Bansal