

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.6595 of 2016

Date of Decision:-02.08.2016

Lakhwinder Singh.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Rakesh Kumar, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Petitioner while working as a *Patwari* was issued a charge sheet dated 16.7.2003 by the Collector, Kapurthala levelling allegations to the following effect:-

- (i) *misappropriation of fees collected from public;*
- (ii) *non recording of Khasra Girdawries;*
- (iii) *preparing of incorrect Jamabandies for the year 2001-02; &*
- (iv) & (v) *recording of incorrect mutations.*

Upon establishment of guilt of the petitioner by the enquiry officer in his report and after following the procedure provided under the Punjab Civil Services (Punishment and Appeal) Rules 1970, the competent authority vide order dated 14.11.2003 (P-3) imposed the punishment of dismissal from service. The statutory appeal filed by the petitioner was dismissed vide

order dated 14.01.2005 by the Commissioner, Jalandhar Division. He

further filed another appeal before the Government which was also dismissed on 16.11.2006 and conveyed vide letter dated 6.12.2006. The petitioner yet again filed another representation, not explained how maintainable, before the government which was also dismissed on 30.11.2009 (P-4). Now after a delay of almost more than 09 years even after the dismissal of the second appeal by the government in the year 2006, a challenge has been laid to the order of dismissal dated 14.11.2003 (P-3) as also the order dated 30.11.2009 (P-4).

Counsel for the petitioner heard at length.

After hearing learned Counsel for the petitioner, no ground for interference is made out. It is well settled that in disciplinary proceedings scope of interference is very limited and the present case does not fall within the parameters of interference. The punishment of dismissal from service in the light of the findings of the enquiry report was rightly and legally imposed. Even otherwise the petition suffers from the vice of delay and laches.

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

(JASWANT SINGH)
JUDGE

August 02, 2016
Vinay

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No