

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

CWP No.972 of 2016

Date of Decision:19.01.2016

Gurkirpal Singh Randhawa

... Petitioner

Versus

State of Punjab & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Naveen Bawa, Advocate,
for the petitioner.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

This petition represents work-shirking by the bureaucrat. The only claim in the petition is for an early hearing and decision on the appeals filed by the petitioner against the punishment orders passed by the disciplinary authority against the petitioner, for committing minor misconduct. The punishments imposed arise from three show cause notices issued to the petitioner under Rule 7 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970. Three appeals have been filed; one in 2012 and others in 2014, which are still pending before the appellate authority. Any further delay would seriously prejudice the petitioner in his service career and he has a right of early hearing on the appeals within a reasonable time. It appears that the appellate authority has forgotten about these appeals and needs to be woken up with a direction from the Court. Otherwise, the appellate authority may continue to slumber. Therefore, the necessity of interference in the matter arises to prevent

waste of time only due to the apathy of the bureaucrat in not deciding the appeals and shirking from duty to perform his statutory duty. In the circumstances, direction is issued to the appellate authority to take up the appeals of the petitioner effectively for hearing by fixing a date, calling the petitioner for hearing and then passing reasoned orders on all the issues raised by him against the punishment orders in each of the appeals. Let this exercise be completed and final orders be passed within 8 weeks from the date of receipt of a certified copy of this order. The orders passed will be communicated to the petitioner immediately so that he can promptly avail his legal remedy in case the orders are adverse to his interest.

With these observations and directions, this petition stands disposed of.

(RAJIV NARAIN RAINA)
JUDGE

19.1.2016
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