

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.2185 of 2016 (O&M)

Date of Decision: November 11, 2016

Manjit Singh

.....Appellant

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.S.P.Soi, Advocate, for the appellant.

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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?

Surya Kant, J. (Oral)

Learned Single Judge vide order under appeal dated 07.10.2016 has relegated the appellant to the alternative remedy of appeal which is available under the Service Rules against the order of punishment inflicted by way of departmental enquiry. The apprehension of the appellant is that the Managing Director of the respondent-Federation who has imposed the punishment would also sit as a member of the Appellate Authority, namely, the Board of Directors. Such an apprehension can be effectively taken care as he may represent to the Board of Directors requesting that the Managing Director may not participate in the proceedings at the time of hearing of his appeal.

We have no reason to doubt that the Board of Directors or the Managing Director will appreciate the principles of natural justice and fair play and the Punishing Authority would not become member of the

Appellate Authority while considering the validity of its own order.

With these observations and directions, the appeal stands disposed of.

[SURYA KANT]
JUDGE

November 11, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

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