

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.2357 of 2016 (O&M)

Date of Decision: December 05, 2016

Bikkar Singh

.....Appellant

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE HARINDER SINGH SIDHU.

Present: Mr.Kamaljeet Singh Sidhu, Advocate, for the appellants.

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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)

This letters patent appeal is directed against the order dated 23.09.2016 vide which the learned Single Judge has dismissed the appellant's writ petition seeking reinstatement in service.

The appellant was working as Jail Warder in Central Jail, Ludhiana. He was caught with 1000 intoxicating tablets kept concealed in his clothes which were to be smuggled inside the jail. A departmental enquiry was held in which charges were proved. The Disciplinary Authority, having regard to the gravity of misconduct, dismissed the appellant from service. His departmental appeal was also turned down. The aggrieved appellant approached this Court and the learned Single Judge vide order under\ appeal dated 23.09.2016 looked into both the aspects, namely, fairness of enquiry as well as quantum of punishment keeping in view the unblemished service of the appellant, and on such consideration,

has declined to interfere with the impugned orders.

We have heard learned counsel for the appellant who has reiterated both the contentions.

In our considered view, the question as to whether there was sufficient material in the domestic enquiry to hold the appellant guilty cannot be gone into at the appellate stage or in writ jurisdiction. The enquiry report is self-explanatory and so are the orders passed by the Disciplinary as well as Appellate Authorities.

No case to interfere with the impugned orders is made out.

Dismissed.

[SURYA KANT]
JUDGE

December 05, 2016
mohinder

[HARINDER SINGH SIDHU]
JUDGE

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

CM No.4896 of 2016 in
LPA No.2357 of 2016

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Bikkar Singh versus State of Punjab and others

Present : Mr.Kamaljeet Singh Sidhu, Advocate,
for the applicant-appellant.

* * *

For the reasons mentioned in the application, the same is
allowed subject to all just exceptions and 120 days' delay in filing the
appeal is condoned.

CM stands disposed of.

(SURYA KANT)
JUDGE

December 05, 2016
mohinder

(HARINDER SINGH SIDHU)
JUDGE