

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Misc. No.965 of 2016 in/and

Letters Patent Appeal No.443 of 2016 (O&M)

Date of Decision: August 09, 2016

Gurtej Singh

.....Appellant

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE GURMIT RAM.

Present: Mr.Randhir S.Hooda, Advocate, for the appellant.

-. -

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 assails the order dated 03.05.2011 whereby learned Single Judge has dismissed the appellant's writ petition and upheld the order of his dismissal from service.

The appeal is accompanied with an application (CM No.965 of 2016) for condonation of 1712 days' delay in filing the appeal. It is averred that delay has been caused as the father of appellant was convicted and sentenced in a criminal case for 14 years RI and appellant being the elder son was burdened with responsibilities to look-after his aged mother, his own wife and children, besides the younger brother. It is further claimed that due to physical and mental illness also, that the appellant could not file this appeal on time.

The averments are totally vague and evasive. The explanation

is far from convincing for condonation of the delay running into years, hence no case to condone the delay is made out. The application (CM No.965 of 2016) stands dismissed.

Having held so, we may also observe on merits that the appellant was recruited as a Constable in Haryana Police. He was transferred from district Bhiwani to Fatehabad on 05.07.2006. He, however, joined the new place of posting after four months on 05.11.2006. No leave was got sanctioned and no reason for willful absence from duty was given. He was charge-sheeted and having been found guilty of willful absence from duty, the order dismissing him from service was passed. The departmental authorities as well as the learned Single Judge have upheld the said order. As a member of disciplined force, the appellant was expected to be more careful in performance of his duties. In a case of absence from duty by a member of police force, may be for a day, can warrant severest punishment.

No case to interfere with the order under appeal is made out.

Dismissed.

[SURYA KANT]
JUDGE

August 09, 2016
mohinder

[GURMIT RAM]
JUDGE

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