

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

LPA-478-2016 (O&M)

Date of Decision: August 19, 2016

Jagsir Singh

.....Appellant

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr.Kulbhushan Raheja, Advocate
for the appellant.

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SURYA KANT, J.

The order dated 23.12.2015, whereby learned Single Judge has upheld the appellant's dismissal from service as well as the order dismissing his service appeal, is under challenge in this intra-Court appeal.

The appellant was working as Orderly in the Court of Civil Judge (Senior Division) at Fazilka. He was charge-sheeted and enquiry was held on the allegation that he demanded and received Rs.5,000/- as bribe for reshuffling of some files which would lead to change of jurisdiction of a Court case. The enquiry was held; allegations were proved. The appellant was served with a show cause notice. Enquiry report was also supplied. His explanation was considered and thereafter learned District Judge dismissed him from service. His service appeal was considered by the Administrative

Judge, who too found no ground of leniency and dismissed the same on 16.09.2015. Those orders have been upheld by learned Single Judge also.

In this intra-Court appeal, we cannot go into the questions like adequacy of evidence produced against the appellant in the domestic enquiry or whether, on facts, the allegations of taking bribe are made out or not. The finding of fact to that effect has been duly considered by the Administrative Judge as well as learned Single Judge. In a case where the allegation of corruption is proved, dismissal from service ought to be the appropriate punishment which has been awarded to the appellant.

For the reasons stated above, no interference with the order under appeals is called for.

Dismissed.

(SURYA KANT)
JUDGE

August 19, 2016
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(SUDIP AHLUWALIA)
JUDGE

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