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

LPA No.494 of 2016

Date of decision: May 09, 2016

Satpal Gupta

.....Appellant

Versus

Presiding Officer and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Mr. P.K. Mutneja, 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)

The instant Letters Patent Appeal is directed against the order dated 21.01.2016 whereby learned Single Judge, in a matter of prolonged disciplinary proceedings initiated against the appellant, has attempted to resolve the controversy with a direction that the enquiry may be held and taken to a logical conclusion during which the appellant shall be treated under 'deemed suspension'.

One of the grievance of the appellant is that though the inquiry has commenced but no 'subsistence allowance' is being paid to him. Since the order under appeal, nowhere denies the payment of subsistence allowance to the appellant, we are not inclined to entertain this appeal except to grant liberty to the appellant to approach the appropriate authority for the said relief.

The another plea taken by the appellant that inquiry

proceedings cannot be initiated at this stage, deserves to be simply noticed and rejected for the reason that unless the domestic inquiry culminates into some final decision, the claim for appellant's reinstatement or for consequential benefits cannot be accepted. It has to be kept in view that the appellant was working in an Institute covered under the grant-in-aid scheme of the State Government. The Statute/Rules governing service conditions of the Teachers appointed in such like Institutes, contemplate holding of domestic inquiry if any misconduct is attributed. This is what precisely the learned Single Judge has directed in the instant case.

Dismissed.

**[SURYA KANT]
JUDGE**

**[A.B. CHAUDHARI]
JUDGE**

May 09, 2016
mahavir