

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

RSA No.2205 of 2016 (O&M)

Date of Decision:13.12.2016

Sanjay Kumar

... Appellant

Vs.

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Dr. S.K. Redhu, Advocate for the appellant.

P.B. BAJANTHRI J.

In the present appeal, the appellant has questioned the validity of the orders passed by the trial as well as appellate court.

Before the trial court the petitioner has filed suit for declaration in respect of imposition of penalty of withholding of two increments with cumulative effect as well as order passed by the appellate court. The trial court rejected the suit filed by the appellant. Even the appellate court while rejecting the appeal affirmed the order passed by the trial court.

Learned counsel for the appellant submitted that against the order of the appellate authority, he had remedy of revision petition before the Director General of Police, Haryana under Punjab Police Rules, 1934. Thus, the appellant submitted that he be permitted to withdraw the suit filed before the trial court.

Heard learned counsel for the appellant.

In view of the statutory remedy of revision petition under Punjab Police Rules, 1934, the appellant is permitted to withdraw the civil suit No.255 of 17.7.2013. Orders passed by the trial as well as appellate

court would not come in the way to entertain revision petition and decide.

The appellant is directed to file revision petition within a period of one month from today. The Revisional Authority is directed to consider the revision petition within a period of four months from the date of receipt of the revision petition. It is also made clear that insofar as delay in filing revision petition, the Revisional Authority is directed to take sympathetic view for the reasons that appellant has been pursuing the matter before the trial, appellate and this Court.

The appeal is disposed in the above terms.

13.12.2016
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**