

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

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**RSA No. 6169 of 2016 (O&M)
Date of decision: 17.12.2016**

The State of Punjab and another

...Appellants

Versus

Mandeep Kaur

.... Respondent

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

Present: Mr. M.S.Naryal, AAG, Punjab.

P.B. Bajanthri, J. (Oral)

CM-16214-C-2016

CM for condonation of delay of 137 days in filing the appeal is allowed for the reasons stated in the CM and in the affidavit. Delay of 137 days in filing the appeal is condoned.

CM-16215-C-2016

CM for exemption from filing typed copies of the judgments and decrees of the courts below and permission to file photocopies of the same is allowed for the reasons stated in the CM and in the affidavit.

Documents are taken on record.

Main case.

On the last occasion this court directed the appellants to produce copy of the termination order. Accordingly, learned counsel for the appellant produced. Perused the same.

Heard. Appellants have questioned the validity of the appellate court order dated 25.03.2016. The respondent was appointed as Anganwari worker after undergoing training course. Her services were terminated on

18.11.2011 which was the subject matter before the trial court. Trial court rejected the suit on 25.11.2014. Consequently, appeal has been presented before the appellate court. The appellate court allowed the appeal on 25.03.2016 while directing the appellants to reinstate the respondent in service along with back wages and all the service benefits with an interest @ 8% per annum from the date, it became due while reserving the liberty to conduct proper and legal enquiry after giving due opportunity to the respondent in accordance with rules.

Learned counsel for the appellants submitted that the appellate court has erred in allowing the appeal since the respondent has been given adequate opportunity before her termination. The appellate court has examined the records in detail which is evident from para 15 of the appellate court order dated 25.03.2016. Even perusal of the order of termination it is evident that it is not a speaking order. Thus, the appellants have not made out a case so as to interfere with the appellate court order dated 25.03.2016.

Hence appeal stands dismissed.

(P.B.BAJANTHRI)
JUDGE

17.12.2016

pooja saini

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No