

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

RSA No. 6443 of 2014 (O&M)

Date of Decision: 23.08.2016

Ranjeet Singh

.... Appellant(s).

Versus

State of Haryana and others

....Respondent(s).

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

Present: Mr. G.S. Attariwala, Advocate
for the appellant.

Mr. Keshav Gupta AAG, Haryana.

P.B. BAJANTHRI, J. (Oral)

The appellant has assailed the order of the Appellate Court dated 24.05.2014. An extract of the Appellate Court order is reproduced herein :-

“Therefore, the finding of the trial court that Ranjeet was not negligence for his duty can not be sustained. The said findings is set aside. However, in view of the facts that second show cause notice given to the plaintiff before awarding the punishment; the inquiry report was not furnished to him; the Inquiry Officer and the Punishing Authority was one and the same person, the suit of the plaintiff was rightly decreed by the trial court. However, liberty is given to the department to proceed further against the delinquent after supplying him the copy of inquiry report.”

Perusal of the above finding of the Appellate Court except offending part, insofar as the appellant is concerned, liberty is granted to the department to proceed further against the appellant after supplying him copy of the inquiry report. Insofar as granting liberty is concerned, the appellant has not made out a case. On the contrary, it is in terms of the decision of the Apex Court passed in “*Managing Director Ecil Hyderabad Vs. B. Karunakar Etc. 1993 (4) SCC 727*”.

The appeal stands dismissed.

23.08.2016
sahil soni

(P.B. BAJANTHRI)
JUDGE

Whether speaking/reasons: Yes/No

Whether Reportable: Yes/No