

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

RSA No.1877 of 1991
Date of Decision: 3.3.2017

The State of Punjab

... Appellant

Versus

Gurmej Singh

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.P.S.Bajwa, Addl.A.G., Punjab for the appellant

None for the respondent

RAJIV NARAIN RAINA, J. (Oral)

1. Major punishment was imposed on the respondent without holding enquiry and still further the suit filed against the punishment orders was dismissed. The lower appellate court reversed the findings of the learned trial court and the suit of the plaintiff was decreed. It is by now well settled that major punishment cannot be imposed without issuing a charge-sheet and conducting a regular enquiry. For this, one may see the Full Bench decision of this Court in Dr.K.G.Tiwari vs. State of Haryana, 2002 (4) SLR 329. It is not enough compliance of the law to issue show-cause notice, invite reply, consider the same and then impose major punishment. In the present case, no regular enquiry was conducted. The lower appellate court rightly observed that there was sheer violation of the principles of natural

justice. I find no legal infirmity in the judgment and decree passed by the lower appellate court.

2. In view of the above, I find no merit in this appeal which is accordingly dismissed.

(RAJIV NARAIN RAINA)
JUDGE

3.3.2017
MFK

Whether speaking/reasoned

Yes

Whether Reportable

No