

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

**CWP No. 10311 of 2016  
Date of Decision: 18.04.2017**

**Sukhwant Singh**

**...Petitioner**

**Versus**

**Punjab State Cooperative Agricultural  
Development Bank Ltd., Chandigarh & Anr.**

**...Respondents**

**CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. M. S. Sarao, Advocate  
for the petitioner.

Mr. Ashwani Prashar, Advocate  
for the respondents.

**JAISHREE THAKUR, J. (Oral)**

The instant writ petition has been filed seeking to challenge the impugned order dated 11.05.2013 (Annexure P-1) by which the petitioner was dismissed from service.

Against the impugned order, an appeal was filed before the Board of Directors of the Bank on 29.05.2013 which appeal was dismissed by order dated 20.11.2014 (Annexure P-8). After the dismissal of the appeal, the petitioner had moved a representation and a competent authority had sanctioned his absence from duty. This Court fails to understand as to under what circumstances absence from duty could be condoned after an employee had been dismissed from service and appeal against the dismissal order had been rejected.

The instant writ petition has been filed seeking reinstatement in service on the ground that the charges stood dropped after his leave period has been sanctioned by the respondent-authority.

Mr. Prashar, learned counsel for the respondents, raises a preliminary objection that the writ petition is not maintainable on the ground that the petitioner has a remedy of filing a revision under Section 69 of the Punjab Cooperative Societies Act, 1961.

Faced with this, learned counsel for the petitioner seeks to withdraw the instant writ petition with liberty to approach the Government. Counsel for the petitioner also raises an apprehension that the grounds of limitation would be raised against him to defeat the petitioner's claim on technical grounds. On this, Mr. Prashar assures the Court and the petitioner that no such ground will be raised.

In view of above, the instant writ petition is disposed of giving liberty to the petitioner to avail appropriate remedy. However, the respondents herein shall not raise the objection of delay, to defeat the claim of the petitioner.

**April 18, 2017**

Ansari

**(JAISHREE THAKUR)**

**JUDGE**

*Whether speaking/reasoned*  
*Whether reportable*

*Yes/No*  
*Yes/No*