

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

**Civil Writ Petition No.18595 of 2013  
Decided on : 28.08.2017**

Swami Nath

... Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA**

Present : Mr. Sahil Goel, Advocate for  
Mr. Saurabh Arora, Advocate  
for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

**G.S. Sandhawalia, J. (Oral)**

The impugned order dated 05.04.2013 (Annexure P-5) has been passed by the Executive Engineer, whereby the petitioner has been dismissed from service on account of absence and the petitioner being charge-sheeted under Rule 7 of the Haryana Civil Services (Punishment & Appeal) Rules, 1987 (hereinafter referred to as '1987 Rules').

As per Rule 9 of the 1987 Rules, the petitioner has a right of appeal to such superior authority, as may be prescribed by the Government in the Rules regulating his conditions of service, against an order not being an order of Government.

Accordingly, the petitioner is relegated to his alternative remedy of an appeal before the competent authority. The present writ petition is disposed of with the abovesaid liberty

**AUGUST 28, 2017**

*Naveen*

**(G.S. SANDHAWALIA)  
JUDGE**

*Whether speaking/reasoned:*

*Yes/No*

*Whether Reportable:*

*Yes/No*