

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

CWP No. 15580 of 2016 (O&M)

Date of Decision: 12.05.2017

Vismender

..... Petitioner

Versus

Chaudhary Devi Lal Cooperative Sugar Mills Ltd.

..... Respondent

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

Present: Mr. R.K.Malik, Sr. Advocate with
Mr. Samrat Malik, Advocate, for the petitioner.

Mr. Deepak Balyan, Advocate
for the respondent.

P. B. BAJANTHRI J. (ORAL)

The petitioner has questioned the validity of order dated 29.04.2016 (Annexure P-7) by which he has been reverted back to the post of Turbine Attendant to Oil Man.

Before passing order dated 29.04.2016 (Annexure P-7), the Managing Director - respondent issued a show-cause notice to the petitioner as to why, the petitioner's service shall not be reverted back to the previous post held by the petitioner. In this regard, petitioner has submitted his reply. Thereafter, the Managing Director-respondent proceeded to pass a reversion order which reads as under:-

“ In the above mentioned subject you are written that you were issued above mentioned show cause notice whose reply is not satisfactory. Therefore, you are reverted to the original post of Oil Man (Seasonal Permanent) ”.

Perusal of the order of reversion, it is evident that reply of the petitioner has not been considered so there is a total non-application of mind, while issuing the order dated 29.04.2016 (Annexure P-7). Accordingly, order dated 29.04.2016 (Annexure P-7) is set aside.

Petition stands allowed, reserving liberty to respondent

-Managing Director to pass a speaking order, if so warranted.

(P. B. BAJANTHRI)
JUDGE

12.05.2017
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Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No