

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

102

RSA-3112-2006 (O&M)

Date of Decision : 11.10.2017

State of Haryana and others

..... Appellants

Versus

Raghubir Singh

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Anil Mehta, D.A.G, Haryana
for the appellants.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the concurrent judgments of the Courts below decreeing the suit of the respondent thereby setting aside the order dated 03.05.2002 vide which recovery of Rs.21,900/- had been imposed upon the respondent besides issuing recorded warning, on the ground that despite the fact that charge-sheet was issued no opportunity was given to the respondent even to file reply or to defend the charge-sheet and completely unilateral action was taken.

On 19.02.2008 the following order was passed:-

“Learned counsel for the appellant-State submits that SLP filed by the State of Haryana against the decision of the Full Bench in K.G. Tiwari v. State of Haryana, 2002(4) SLR 329 is now listed before the Supreme Court on 3.4.2008. The same is tagged with SLP(C) No.454 of 2004.

List for hearing on 12.05.2008.”

Today the learned Deputy Advocate General has fairly accepted

that the aforementioned SLP has been dismissed.

In the circumstances, no fault can be found with the judgments of the Courts below wherein they have held that even an order of minor penalty could not have been passed in complete derogation of the principles of natural justice by relying upon the judgment of this Court in K.G. Tiwari case (supra).

Consequently, the appeal is dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

October 11, 2017
ashish

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No