

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

CWP No.19018 of 2017 (O&M)

Date of decision:31.08.2017

Gursharan Singh

... Petitioner

Vs.

State of Punjab & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Vishal Sharma, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

The instant writ petition is directed against the order dated 30.06.2014 (Annexure P-14) passed by the Deputy Registrar, Cooperative Societies, Amritsar and in terms of which the major penalty of dismissal from service has been imposed upon the petitioner, who was serving as a Clerk.

Further challenge is to the order dated 31.08.2016 (Annexure P-16), whereby an application filed by the petitioner before the Deputy Registrar, Cooperative Societies seeking review of the order of dismissal has been declined.

Having heard counsel for the petitioner at length and having perused the pleadings on record, this Court is of the considered view that there would be no occasion to examine the validity of the impugned orders on merits.

Admittedly, departmental proceedings in terms of issuance of a charge sheet under Rule 8 of the Punjab Civil Services (Punishment and

Appeal) Rules, 1970 were initiated against the petitioner and such proceedings have culminated for the passing of the impugned order of dismissal.

Under the Punishment and Appeal Rules, there is a statutory remedy of filing an appeal before the Appellate Authority, which is in the facts of the present case would be an authority superior in rank to the Deputy Registrar, Cooperative Societies. The petitioner for reasons best known to him chose to file an appeal (Annexure P-15) for review of the dismissal order dated 30.06.2014 before the same very authority which has passed the dismissal order i.e. the Deputy Registrar, Cooperative Societies.

A statutory remedy of an appeal before the Appellate Authority being available under the Punishment and Appeal Rules, this Court would not be inclined to interfere in the matter at this stage.

Petition, accordingly, is dismissed with liberty to the petitioner to avail of his statutory remedy in accordance with law.

31.08.2017*harjeet***(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |