

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

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CWP-7130-2015 (O&M)
Date of decision:11.05.2017

Suresh Punia

....Petitioner

Versus

State of Haryana and others

.... Respondents

CORAM: Hon'ble Mr. Justice P.B. Bajanthri

Present: Mr. Vikas Bahl, Sr. Advocate with
Ms. Balpreet Sidhu, Advocate for the petitioner.

Mr. Sushil Gautam, DAG, Haryana.

P.B. Bajanthri, J. (Oral)

Petitioner was selected and appointed to the post of Junior Engineer. While he was on probation on certain allegations relating impersonation alleged to have involved. The alleged incident was taken note of by the competent authority and proceeded to pass order of termination on 19.03.2008. Records were summoned. Perusal of the records, it is evident that on the above mentioned allegations and alleged to have committed misconduct as an impersonator to write two departmental examination resulted in termination of the petitioner's service. Termination of the petitioner amounts to stigmatic order for the reasons that based on the alleged allegation order of termination has been passed without holding inquiry. Therefore, Annexure P6, dated 19.03.2008 is set aside.

Feeling aggrieved by the order of termination, petitioner has preferred appeal and revision or mercy petition. Both were rejected. Perusal of rejection order it is crystal clear that there is no application of mind. Consequently, orders at Annexures P8 and P11 are set aside. The concerned respondent is hereby directed to regulate the intervening period for service and monetary benefits in accordance with law. If petitioner is entitled to monetary benefit, the same shall be calculated and disbursed within a period of 4 months from today.

CWP stands allowed. Reserving liberty to the respondents to take disciplinary action if it is warranted.

(P.B. BAJANTHRI)
JUDGE

11.05.2017
pooja saini

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No