

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

Sr. No.120

Civil Writ Petition No.28023 of 2017
DECIDED ON: December 11, 2017

SUMITRA AND OTHERS

..PETITIONERS

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. P.K. Sachdev, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought the quashing of the impugned orders of Punishment dated January 25, 2013 (P-1) and another dated January 25, 2013 (P-2) as well as the order dated April 04, 2012 (P-7), after taking the decision on the application moved by the petitioner No.1 i.e. widow of deceased Late Shri Dalbir Singh for substituting her name as an appellant in place of her husband Late Shri Dalbir Singh and to grant all the consequential benefits.

2. At the very outset of the arguments, it has emerged that an appeal against the aforesaid orders (P-1 & P-2) is pending before the appellate authority i.e. Additional State Transport Commissioner, Haryana preferred on January 27, 2014 (P-4). During the pendency of the aforesaid appeal, the husband of the petitioner No.1 was taken away by the nature on March 20, 2014 and subsequent thereto, an application dated November 09,

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2015 (P-6) was moved to the appellate authority by the petitioner No.1 for substituting her as an appellant being the widow of deceased Late Shri Dalbir Singh. Neither the said application has so far been decided by the appellate authority nor any order has been passed in the appeal.

3. As far as relief claimed through the instant petition with regard to orders dated January 25, 2013 (P-1 & P-2) is concerned, it is disposed of with the direction to the Appellate Authority i.e. Additional State Transport Commissioner, Haryana to consider the claim of the petitioners putforth by way of an appeal as well as application moved by the petitioner No.1 for impleading/substituting herself in place of her husband and to decide the same in accordance with law within a period of four months from the date of receipt of a certified copy of this order.

4. As regards, another relief with regard to order dated April 04, 2012 (P-7) is concerned, petitioners are advised to take an appropriate steps in accordance with law before the concerned authorities and if petitioners still feel aggrieved of any order(s) passed by the aforesaid authority, they shall be at liberty to approach this Court.

December 11, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**