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

CWP No.5980 of 2017

Date of Decision : 10.05.2017

Dharam Pal

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. R.S. Mamli, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

By this petition the petitioner has challenged the enquiry report dated 13.05.2002 (Annexure P-2), punishment order dated 12.12.2003 (Annexure P-5), Appellate Orders dated 05.03.2004 (Annexure P-6) and 23.12.2004 (Annexure P-7) and the Revisional order dated 18.02.2010 (Annexure P-8).

The petitioner was working as Forest Guard since the year 1981. Perusal of various inspection reports revealed that there was a shortage of 323 trees and that the petitioner had marked the same number on many trees and large quantity of trees were not recorded in the numeration register. He was served with a charge-sheet on 13.06.2001

levelling following charges:-

- “1. Illegal cutting of trees in Dhurala Beat and causing financial loss for the government.*
- 2. None recording the entry of the trees in the numeration register with bad intention.*
- 3. Marking of one and same number on many trees with bad intention.*
- 4. Weakness of security.*
- 5. Negligence in performing the duties.”*

After regular inquiry he was found guilty of the charges levelled and the disciplinary authority dismissed him from service and recovery was also ordered against him. Thereafter, the petitioner filed an appeal and the appellate authority partly accepted it and the dismissal order had been set aside but other punishments were upheld and he had been placed in the minimum pay scale of Rs.3050/- for the period of 5 years i.e. the starting scale. Subsequent thereto he again filed an appeal before the Chief Forest Conservator Security-I which was also dismissed. Then the petitioner filed a revision which was also rejected on the ground that he was already granted relief by the appellate authority.

Learned counsel states that he would not press the argument regarding findings of the enquiry officer but keeping in view the entire factual matrix the punishment is disproportionately hard.

In my opinion, the charges against the petitioner are very serious and once the petitioner has been found guilty he cannot now claim that the punishment is disproportionate. Further the appellate authority has already given him sufficient relief by reducing his punishment.

Consequently, the petition stands dismissed.

Since the main case has been decided, the pending Civil Misc.
Application, if any, also stands disposed of.

May 10, 2017
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No
Whether reportable - Yes/No