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

**RSA-4162-2010 (O&M)
Date of Decision : 30.11.2017**

Atma Singh

..... Appellant

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Shrey Goel, Advocate
for the appellant.

Dr. Sushil Gautam, D.A.G., Haryana.

AJAY TEWARI, J. (ORAL)

This appeal has been filed against the concurrent judgments of the courts below dismissing the suit filed by the appellant.

The appellant had challenged the order whereby his pension had been withheld and also an order of recovery against him of certain amounts. Both the courts below found that a charge-sheet was issued to the appellant, his reply was considered and thereafter the inquiry was held and then the impugned order was passed. The appellant then filed an appeal which was also rejected.

In my opinion, the conclusion of the courts below that in

service matters the civil court can not exercise the appellate jurisdiction and has only to enquire that all the procedural safeguards are met and can not substitute its own judgment to that of the departmental proceedings and interference is exceptionable i.e. in case of malafide or perversity, cannot be said to be faulted.

Counsel for the appellant has not been able to show how the departmental enquiry against the appellant in accordance with law is wrong.

Appeal is dismissed. No costs.

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

November 30, 2017
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No