

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

-.-

**C.W.P No. 7691 of 2017(O&M)  
Date of decision: 12.09.2017**

Maan Singh

...Petitioner

Vs.

State of Haryana & Ors.

...Respondents

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA**

Present: Mr. Jagjeet Beniwal, Advocate, for the petitioner.

**G.S.SANDHAWALIA, J. (Oral).**

Challenge in the present writ petition is to order dated 15.11.2016 (Annexure P/7) vide which the departmental appeal filed by the petitioner against the order dated 18.08.1999 (Annexure P/1) passed by the General Manager, Haryana Roadways, Ambala has been dismissed.

Vide the impugned order of punishment, which was under Rule 7 the Haryana Civil Services Punishment and Appeal Rules, 1987 two annual increments with permanent effect were stopped by the General Manager. The petitioner's first appeal has been rejected by the Joint Transport Commissioner Haryana. However, suspension period was treated as leave of kind due which is to be counted for the purpose of length of service including pension. As per Rule 13 there is a right of revision prescribed if the appellate authority is one other than the Government. Admittedly, the petitioner has not availed of the said alternative remedy, which is available to him.

In such circumstances, Counsel does not press the present writ petition and prays for liberty to avail his alternative remedy in accordance with law.

Accordingly, the present writ petition is dismissed as withdrawn with the liberty aforesaid. Needless to say that the if the petitioner files an appropriate application for condonation of delay before the revisional authority, the same shall be duly considered and decided on merits.

**September 12, 2017**  
tripti

**(G.S. SANDHAWALIA)**  
**JUDGE**