

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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RSA No.876 of 2011 (O&M)
Date of Decision : 05.09.2017

Ex. Const. Amarjit Singh

..... Appellant

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Amit Jhanji, Advocate
for the appellant.

Mr. Sandeep Vermani, Addl. A.G., Punjab.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the concurrent judgments of the Courts below dismissing the suit of the appellant whereby he had challenged the order of dismissal and the appellate order.

The appellant had joined as a Constable on 01.09.1989 and was charge-sheeted for remaining wilfully absent from 18.04.1997 to 20.06.1998 i.e. for a period of about 14 months. A regular inquiry was conducted. The appellant neither filed any reply nor joined the inquiry proceedings and ultimately as noticed above, he was dismissed from service. Both the Courts below noticed this conduct and noticed that he had a history of insubordination, indiscipline and absence. He had been awarded punishment of forfeiture of 2 years approved service for remaining wilfully absent from 10.07.1990 to 13.11.1990 for a period of four months. He was

again awarded the punishment of forfeiture of three years service for remaining absent from duty w.e.f. 09.09.1995 to 2.1.1996 i.e. more than three months and twenty days. He was further awarded punishment of forfeiture of five years approved service for remaining absent from duty from 16.06.1996 to 07.08.1996 and then again from 13.08.1996 to 06.12.1996 i.e. for the period of more than five months. He again wilfully absented himself from 01.12.1996 to 11.04.1997 and thereafter for the period under inquiry. Both the Courts held that this conduct of the appellant clearly proved his incorrigibility and complete unfitness to be in the disciplined service of the police.

I regret my inability to disagree and, in the circumstances confirm the findings.

Appeal is dismissed. No costs.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

05.09.2017
pooja sharma-I

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No