

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

LPA No.302 of 2016 (O&M)

Date of Decision:01.02.2017

Punjab State Power Corp. Ltd.

.....Appellant

Vs.

Satpal Singh Sidhu

.....Respondent

**CORAM:- HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present:- None for the petitioner.

Mr. A.K. Walia, Advocate for the respondent.

SURYA KANT, J.(Oral)

CM No.641 of 2016

Prayer in the application is for condonation of delay of 52 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed and delay of 52 days in filing the appeal is condoned.

CM stands disposed of.

LPA No.302 of 2016

Notice of motion was issued in this Letters Patent Appeal noticing the following contentions:-

“It is, *inter-alia*, contended that the decision to charge-sheet the respondent was taken much before his retirement and even charge-sheet was also issued but in collusion with the subordinate staff, he got it delayed and received after his retirement.....”

Learned counsel for the respondent states that let in the light of the afore-stated contention, the matter be reconsidered by the Learned Single Judge after summoning the original record from the appellant-Corporation.

In view of the above stand taken on behalf of the respondent, the instant appeal is allowed. The order under appeal dated 10.7.2015 is set aside and the case is remitted to the learned Single Judge, to be listed as per roster, for fresh adjudication, after summoning the original record and for determining whether the charge-sheet Annexure P.1 was issued before retirement but could not be served on the respondent due to alleged collusion of any employee.

The parties are directed to appear before the learned Single Judge on 1.3.2017.

(SURYA KANT)
JUDGE

(SUDIP AHLUWALIA)
JUDGE

01.02.2017

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Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No