

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

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**RSA No.2074 of 2013 (O&M)
Date of Decision : 07.12.2017**

Government of Punjab through Home Secretary,
Chandigarh and others

..... Appellants

Versus

H.C.Gurwant Singh

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. H.S.Sitta, Asstt. Advocate General, Punjab
for the appellants.

Mr. S.S.Majithia, Advocate
for the respondent.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the concurrent judgments of the Courts below whereby two years approved service of plaintiff was forfeited with permanent effect was passed against the respondent was set aside.

Both the Courts held that no inquiry was ever held and the trial Court decreed the suit giving liberty to the appellants to conduct a fresh inquiry within a period of six months.

Learned Assistant Advocate General is not in a position to show how the finding of facts recorded by the Courts below are wrong. He has very fairly argued that even if this Court is incline to dismiss the appeal the period to conduct the inquiry may start from today because the time given by the trial Court has long lapsed.

I find this to be a fair request. In the circumstances even while dismissing the appeal, department is at liberty to hold fresh inquiry within a period of six months from today.

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

(AJAY TEWARI)
JUDGE

07.12.2017
pooja sharma-I

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No