

**RA-RS-9-C-2013 IN
RSA-3521-2012**

Anuradha
201712.21 12:38
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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

205

**RA-RS-9-C-2013 IN
RSA-3521-2012
Date of Decision: 14.12.2017**

SARBJIT SINGH

...APPLICANT-APPELLANT

VS

PUNJAB STATE ELECTRICITY BOARD AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Manu K.Bhandari, Advocate
for the applicant-appellant.

Mr. R.L.Sharma, Advocate
for the respondents.

AJAY TEWARI, J.(Oral)

CM-253-C-2016

This is an application under Order 22 Rule 3 for bringing on record legal representatives of the appellant.

For the reasons recorded in the application, the same is allowed and LRs mentioned in paragraph No.3 of the application are brought on record as legal representatives of the appellant subject to all just exceptions. Amended Memo of Parties is taken on record.

RA-RS-9-C-2013

This is a review application against the judgment and order dated 8.8.2012. The applicant-appellant was working as a Junior Engineer when, on the order of the Chief Engineer a chargesheet was issued to him. A regular enquiry was conducted and he was ultimately punished by a stoppage of two increments with cumulative effect. The picture becomes a little murky after

this because in the suit allegation was that the punishment order was passed by the Additional Superintending Engineer whereas his appointing authority was a Chief Engineer, which in the written statement, one of the pleas was that the suit was not maintainable since a departmental appeal filed by him was still pending. The suit, the first appeal and the second appeal were dismissed on the ground that the appellant had not been able to show who was his punishing authority. Thereafter, the present review application has been filed whereby it was mentioned that actually there were Punjab State Electricity Board Technical Services Class-III Regulation, 1996 and as per those regulations, the Chief Engineer was the disciplinary authority for persons of the rank of the appellant. I have been informed that the appellant is also dead.

In the totality of the circumstances I am not persuaded to allow the review application. The review application stands dismissed.

14.12.2017
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No