

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

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**CWP-13122-2000 (O&M)
Date of decision:12.03.2018**

Ashok Kumar

...Petitioner

Versus

District & Sessions Judge, Sonapat and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Satya Vir Singh Yadav, Advocate for the petitioner.

Mr. Vikas Chatrath, Advocate for the respondents.

P.B. BAJANTHRI, J. (ORAL)

In the instant writ petition, petitioner has challenged the order of punishment dated 22.05.1999 by which stoppage of two increment without cumulative effect has been ordered. Pursuant to the same, he had preferred service appeal before the appellate authority and it was decided on 31.03.2000 (Annexure P-6). It is also under challenge in the present petition. Appellate authority's order reads as under:-

"After going through the order and the written arguments I do not find any ground to interfere with the order of the learned Sessions Judge, dated 22.05.99 imposing punishment of stoppage of two increments without cumulative effect on the appellant on the basis of the charges which have been held/proved in the regular departmental enquiry.

This is therefore, dismissed"

2. Perusal of the aforesaid order it is crystal clear that there is not even a reference to the petitioner's appeal. Further it is evident that none of the contentions raised by the appellant has been taken into consideration

while deciding service appeal of the petitioner. Accordingly, Annexure P6 dated 31.03.2000 is set aside. Service appeal of the petitioner be decided afresh within a period of 4 months from today in accordance with law.

3. CWP stands allowed in part.

12.03.2018

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No