

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

Date of decision: 05.09.2018

CWP No.17145 of 2015

Satbir Singh Malik ...Petitioner

Vs.

State of Haryana & others ...Respondents

CWP No.15610 of 2015

Satbir Singh Malik ...Petitioner

Vs.

State of Haryana & others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Anil Rathee, Advocate, for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

RAJIV NARAIN RAINA, J. (ORAL)

After hearing Mr. Anil Rathee, learned counsel appearing for the petitioner and Mr. Harish Rathee, learned Law Officer representing the State of Haryana, these petitions deserve to succeed to the limited extent that the appeal/s should have been decided on merits instead of being dismissed on ground of bar of limitation.

Accordingly, without expressing any opinion on the merits of the case and in order to restore a wholesome chance to the petitioner to plead his innocence of the charge before the Appellate Authority, the impugned order in both the cases i.e. Annex P-10 is set aside for breach of principles of natural justice. It is far better in the interest of justice that appeal/s should be

decided on merits after considering the pleas of a person aggrieved which he may wish to raise in his defence. This method would make way for passing a fresh order best by setting aside the impugned orders.

The petitioner would appear before the Appellate Authority on 15.10.2018 at 11.00 AM for hearing on his objections to the enquiry report and the order(s) of the Punishing Authority and the appeal/s be decided on merits in accordance with law by condoning delay in presentation of the dockets and to do so within a period of three months from the date of receiving of certified copy of this order.

Disposed of accordingly.

05.09.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>