

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

**Civil Writ Petition No. 17090 of 2018 (O&M)  
Date of Decision: 24.09.2018**

Dr. Gian Chand

..... Petitioner

**Versus**

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH**

Present: Mr. Madan Lal Saini, Advocate  
for the petitioner.

\*\*\*\*

**JASWANT SINGH, J. (ORAL)**

Petitioner (Dr. Gian Chand) claims to have been appointed as a 'Medical Officer' in the Punjab Civil Medical Services, Class-II, by the Department of Health and Family Welfare, Punjab, vide appointment letter dated 28.07.1981. He is stated to have remained under suspension w.e.f. 17.09.1987 till his reinstatement on 06.03.1992 in the light of an FIR No. 153, dated 24.07.1987 for offences under Section 494, 495, 498-A, 406 and 109 of the Indian Penal Code, registered at Police Station Division No. 3, Jalandhar, on the ground of contracting the second marriage during the subsistence of his first marriage, while working in service. The petitioner was convicted and sentenced to undergo two (02) years rigorous imprisonment alongwith a fine of ₹ 2,000/- (Two Thousand only) vide judgment dated 14.08.1995 passed by the Chief Judicial Magistrate, Jalandhar. The criminal appeal filed by the petitioner alongwith his co-accused-parents was accepted vide order dated 03.06.1997 passed by the Additional Sessions Judge, Jalandhar, in view of written compromise

arrived at between the complainant and the convicted party, thereby compounding offence.

The petitioner was also proceeded against in a departmental enquiry under the Punjab Civil Services (Punishment and Appeal) Rules, 1970, for imposition of a major penalty. He was charge-sheeted and based on an Enquiry Report, holding the petitioner guilty of the charges, was “Dismissed from Service” vide order dated 23.07.1996 (**Annexure P-1**). Concededly, the statutory appeal was not filed against the aforesaid “Dismissal Order”, which has attained the finality.

Now after more than twenty (20) years, the present petition has been filed, challenging the aforesaid “Dismissal Order” dated 23.07.1996 (**P-1**). It is also stated that no interest has been awarded on the delayed release of General Provident Fund (GPF).

After arguing for some time and having failed to convince the Court on delay as well as on merits, counsel for the petitioner prays for withdrawal of the petition.

**'Dismissed as Withdrawn'.**

However, it is **directed** that the petitioner shall pay ₹ 5,000/- (Five Thousand only) as costs, for filing frivolous petition and wasting the precious time of the Court, within two months from today before the District Legal Services Authority (DLSA), Kapurthala.

**September 24, 2018**

*'dk kamra'*

**( JASWANT SINGH )  
JUDGE**

|                                  |               |
|----------------------------------|---------------|
| <i>Whether Speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether Reportable</i>        | <i>Yes/No</i> |