

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

**Civil Writ Petition No. 17715 of 2018 (O&M)
Date of Decision: 28.08.2018**

Rajinder Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Vivek Sharma, Advocate
for the petitioner.

Mrs. Monica Chhibber Sharma, Sr. Deputy Advocate General, Punjab
for the respondents/State, assisted by
Mr. Rajesh Gupta, Senior Assistant, Deptt. of Local Govt., Punjab

JASWANT SINGH, J. (ORAL)

Petitioner (Rajinder Singh) is serving as 'Junior Engineer' with the Department of Local Govt., Punjab. A charge-sheet was issued to the petitioner alongwith others, i.e., Junior Engineer, Assistant Municipal Engineer, E.O. and X.EN. of Nagar Council Dhuri, on account of that while undertaking for execution of works of Municipal Council, Dhuri, the execution was not according as per specification and in collusion with the Contractor had caused financial loss. An Enquiry Officer of a rank of Additional District & Sessions Judge (retd.) submitted a detailed report dated 07.12.2015 (**Annexure P-3**), whereby the petitioner and one Buta Singh, Assistant Municipal Engineer were held guilty of almost six charges, while rest of the officials were exonerated. Accordingly, a Punishment Order dated 28.08.2017 (**Annexure P-5**) was passed by the Appellate

with cumulative effect was imposed. Since the delinquent officials were posted at different places and the common allegations were with regard to their execution of works, while being posted together at Municipal Council, Dhuri, a common charge-sheet was issued by the Appellate Authority, resulting into passing of punishment order by the Appellate Authority.

While hearing on 20.07.2018, counsel for the petitioner had restricted his prayer for a direction to the Appellate Authority to decide the pending Review Appeal since November 2017 within a reasonable time.

At the time of hearing today, learned State Counsel, on instructions from Mr. Rajesh Gupta, Senior Assistant, Deptt. of Local Govt., Punjab, states that the Review Appeal has since been dismissed vide order dated 20.08.2018.

In view of the above, counsel for the petitioner prays for withdrawal of the present petition with liberty to challenge the aforesaid order dated 20.08.2018 in accordance with law.

'Dismissed as withdrawn' with the liberty as prayed for.

August 28, 2018

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**(JASWANT SINGH)
JUDGE**

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