

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP NO. 2620 OF 2018
DECIDED ON: MARCH 06, 2018

VARINDER KUMAR

....PETITIONER...

VERSUS

PUNJAB STATE POWER CORP.
AND OTHERS

....RESPONDENTS...

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. H.S. Saini, Advocate
for the petitioner.

JASPAL SINGH, J.(Oral)

Though by virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of certiorari for quashing charge sheet dated 06.06.2012 (Annexure P-1), yet learned counsel for the petitioner feels satisfied in case direction is issued to the respondent-appellate authority to decide the appeal in a time bound manner, which has been filed against the order dated 29.09.2016 (Annexure P-9).

2. The contention of learned counsel for the petitioner is that though the petitioner has been served with charge sheet and punishment order has been passed but the same are absolutely against the settled proposition of law and thus, are not sustainable in the eyes of law but the same is being implemented by the respondents despite the fact that appellate authority already seized of the matter by way of appeal. He further contends that though specific prayer has

been made in the grounds of appeal that the operation of impugned order dated 29.09.2016 may be stayed during the pendency of appeal and subsequent request(s) on different dates (Annexures P-11 to P-13) have already moved but till date no order has been passed thereon and the respondents are implementing the impugned order dated 29.09.2016 by way of deduction of the amount from the pension of the petitioner in pursuance thereof.

3. Without expressing any opinion with regard to legality and validity of order dated 29.09.2016, the instant petition is disposed of with the direction to respondents i.e. appellate authority to finally dispose of the appeal within a period of six months from the date of receipt of certified copy of this order, that too, after hearing the concerned parties in accordance with law.

4. However, till the appeal is disposed of, subsequent implementation of order dated 29.09.2016 shall remain stayed.

5. In the event, appeal preferred by the petitioner is decided against him, he shall be at liberty to approach this Court as well as to have recourse to the other remedies available under law.

MARCH 06, 2018
sonika

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***