

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-28690-2018 (O&M)
Date of Decision: 14.11.2018

Harmesh Singh

--Petitioner

Versus

Sant Longowal Institute of Engineering
and Technology & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Yogesh Putney, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J (Oral)

Challenge in the instant petition is to the order dated 12.4.2017 (Annexure P-6) and in terms of which the penalty of compulsory retirement has been imposed upon the petitioner, who was serving as Assistant Registrar with Sant Longowal Insstiute of Engineering & Technology, Longowal (Sangrur). Challenge has also been laid to the departmental proceedings that had been initiated against the petitioner under the CCS/CCA Rules, 1965 and which culminated in passing of the impugned order of compulsory retirement dated 12.4.2017.

During the course of hearing, it has gone uncontroverted that the petitioner has availed of his statutory remedy under Rule 27 of the CCS/CCA Rules, 1965 before the Appellate Authority/respondent no.2 and which has not been decided till date. Copy of the appeal dated 18.5.2017 stands appended and placed on record as Annexure P-7.

In view of the above, this Court is not inclined to examine the validity of the impugned order of compulsory retirement dated 12.4.2017, at this stage. Petitioner has availed of his statutory remedy and which is pending final adjudication before the Appellate Authority for the last 20

months approximately. It was imperative upon the Appellate Authority/respondent no.2 to take a decision on the appeal by passing a well reasoned speaking order and by considering all the grounds raised in the appeal.

The instant writ petition is disposed of with a direction to respondent no.2 to take a final decision on the appeal dated 18.5.2017 (Annexure P-7) expeditiously and in any case within a period of four weeks from the date of receipt of a certified copy of this order.

Disposed of.

It is clarified that this Court has not examined the case on merits.

(TEJINDER SINGH DHINDSA)
JUDGE

14.11.2018
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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No