

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

LPA No. 1494 of 2017 (O&M)
In CWP No. 5980 of 2017

Date of decision: 30.4.2018

Dharam Pal

.. Appellant

vs

State of Haryana and others

.. Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice B. S. Walia**

Present: Mr. R. S. Mamli, Advocate, for the appellant.

Rajesh Bindal, J.

Order passed by the learned Single Judge dismissing the writ petition has been impugned by filing the present intra-court appeal.

The appellant in the present case has challenged the punishment imposed on him in pursuance to departmental enquiry. The process of enquiry and the findings have not been disputed. Only issue sought to be raised before the learned Single Judge and before this Court is regarding the punishment being disproportionate.

The learned Single Judge did not find any merit in the writ petition considering the fact that the appellant, who was working as Forest Guard had either not marked the number of trees or had put same numbers on many trees to defraud the department regarding the count existing in the forest area. The shortage was to the tune of 323 trees. Instead of protecting the trees he was removing them. It was a case where fence itself eating the crop.

Keeping in view the aforesaid facts, in our view, there is no error in the order passed by the learned Single Judge. The appeal is accordingly dismissed.

(Rajesh Bindal)
Judge

30.4.2018
vs

(B. S. Walia)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No