

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

**LPA No. 1333 of 2018 (O&M)
Date of decision: 13.11.2018**

Suresh Kumar Bansal

... Appellant

Versus

Punjab and Haryana High Court at Chandigarh and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present: None for the appellant.

KRISHNA MURARI, CHIEF JUSTICE (Oral)

CM-3626-LPA-2018

No one appeared on behalf of the applicant to press this application. However, we have perused the record and cause shown to condone the delay is found to be sufficient. Consequently, the delay of 61 days in filing the accompanying appeal is condoned.

Application stands disposed of.

LPA-1333-2018

When the matter was called out in pre-lunch session, a request for adjournment was made, on the basis whereof the matter was posted to be taken up after lunch.

When the case was called out in post lunch session, no one appeared on behalf of the appellant to press this appeal. However, we have perused the records. This intra-court appeal, under Clause X of the Letters Patent, is directed against the judgment and order passed by the learned Single Judge, dated 27.4.2018, dismissing the writ petition filed by the appellant challenging the order dated 3.11.2017, passed by the appellate authority, arising out of an order passed in disciplinary proceedings.

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Admittedly, the punishment inflicted upon the appellant-petitioner was of compulsory retirement. An appeal was filed against the said order. During the pendency of the appeal, on the request made by the petitioner-appellant, punishment of compulsory retirement was converted into voluntary retirement. Still aggrieved by the same, the appellant-petitioner filed the writ petition.

The learned Single Judge finding that the punishment of compulsory retirement was converted into voluntary retirement on the request made by the petitioner-appellant himself, held that now it is not open to him to challenge the said order. In such circumstances, we do not find any illegality or infirmity in the view taken by the learned Single Judge in dismissing the writ petition and the impugned order does not call for interference.

The appeal is thus devoid of merit and accordingly stands dismissed.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

November 13, 2018
AK Sharma

Whether speaking / reasoned:	YES
Whether Reportable:	NO