

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

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**RSA-6155-2017 (O&M)
Date of decision: 28.02.2018**

Balwinder Singh

.... Appellant

Versus

Punjab State Power Corporation Limited and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mrs. G.K.Mann, Advocate for the appellant.

P.B. BAJANTHRI, J. (ORAL)

In the instant appeal, appellant has questioned the validity of appellate court judgment dated 06.10.2017 insofar as appellate court directing disciplinary authority to hold fresh inquiry against appellant as per law after affording proper opportunity of hearing to the appellant.

2. One of the contentions of the appellant is that based on the anonymous complaint respondents have proceeded to hold an inquiry and it has come on record that it was an anonymous complaint. Therefore, appellate court has erred in remanding the matter to the authority for fresh inquiry against the appellant. It is to be noted that pursuant to the anonymous complaint appellant has surrendered his right before the Inquiring Officer. In other words, participated in the process of inquiry. He has also not challenged the initiation of inquiry like charge-sheet on the score that charge-sheet has been filed based on anonymous complaint. Therefore, appellate court has not committed any error in directing the concerned authority to hold fresh inquiry. Hence no interference is called for.

3. At this stage, learned counsel for the appellant submitted that official respondents will take their own time to decide the inquiry whereby service condition of the appellant are likely to be affected. Therefore, time bound direction be given to the official respondents to complete fresh inquiry as ordered by the appellate court. In view of the said submission disciplinary authority is hereby directed to complete the inquiry proceedings within a period of 3 months from the date of receipt of this order.

With the above observation, appeal stands disposed of.

28.02.2018

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No