

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

CWP No. 2045 of 2019

Date of Decision: May 15, 2019.

Lal Chand Bains

....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Arvind Kashyap, Advocate,
for the petitioner.

Ms.Ishneet Kaur, AAG, Punjab

Rajan Gupta, J (Oral)

Petitioner was posted as Executive Engineer and serving in the department of Water Supply & Sanitation. On 28.12.2015, a charge sheet was served upon him. It was alleged that he had prepared fictitious estimates to the tune of Rs. 187.60 lacs to promote water supply scheme. An enquiry was thus, initiated. He was found guilty. In the enquiry report (Annexure P/2 herein), disciplinary authority ultimately imposed penalty of stoppage of one annual increment with future effect upon the petitioner. He filed appeal against the said order before respondent No.2. However, same was rejected on the ground that appeal would lie before the Chief Minister. It has been urged before the court that enquiry was conducted in a biased manner and no opportunity of hearing was granted. Besides, appeal has been rejected without application of mind. I find no merit in the plea. It is evident that charges against the petitioner were very serious in nature. It appears that disciplinary authority took very lenient view and

imposed penalty of stoppage of one increment only with future effect. As per stand of the State, appeal, if any, would lie before the Chief Minister. Petitioner, however, did not file any such appeal within the prescribed period. Under the circumstances, no case for interference in the writ jurisdiction is made out.

Dismissed.

(Rajan Gupta)
Judge

May 15, 2019.

BB

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No