

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

CWP No. 1954 of 2019
Date of decision:-24.01.2019

Manmeet Singh

.....Petitioner

versus

The State of Punjab and others

.....Respondents

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

Present:- Mr. Balwinder Singh, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner who was serving on the post of Field Officer (Preservation) under the Punjab State Cooperative Supply and Marketing Federation (Markfed) has filed the instant petition assailing the order dated 13.01.2018 (Annexure P-6) whereby he had been placed under suspension as also to the order dated 28.11.2018 (Annexure P-7) imposing upon the petitioner the major penalty of dismissal from service.

Having heard counsel for the petitioner at length, this Court is of the considered view that the validity of the impugned orders at Annexures P-6 and P-7 need not be gone into at this stage.

The order of dismissal dated 28.11.2018 (Annexure P-7) has been passed by the Managing Director being the punishing authority of the petitioner. Concededly, the petitioner is governed by the Punjab State Cooperative Supply and Marketing Federation Employees (Punishment & Appeal Rules) 1990. Rule 14 of the 1990 rules provides for a remedy of appeal against the decision of the Managing Director to the Board of

Directors.

In the considered view of this Court, the petitioner ought to avail in the first instance the statutory remedy of appeal available to him under Rule 14 of the 1990 Rules.

Accordingly, while declining to interfere in the matter, petitioner is relegated to the remedy of filing an appeal. In the eventuality of the petitioner preferring an appeal against his order of dismissal within a period of two weeks from today, the appellate authority would consider the same and take a final decision thereupon in accordance with law and after affording to the petitioner an opportunity of hearing within a period of eight weeks thereafter.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

24.01.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No