

CWP-8985-1993

Date of decision: 22.08.2019

CHHAJU SINGH

...PETITIONER

VERSUS

PUNJAB SCHOOL EDUCATION BOARD
AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioner.

Ms. Tuneet Walia, Advocate
for the respondents.

ARUN MONGA, J. (ORAL)

Though the appellate order dated 23.01.1993 (Annexure P-12) impugned herein is very vague and as cryptic as it can be, since the appeal of the petitioner has been dismissed in a most non-speaking manner by simply observing that "*The appeal of Sh. Chhaju Singh was rejected after considering from all aspects at length*". But having threadbare gone through the punishment order dated 03.04.1992 (Annexure P-11) passed by the Chairman of respondent No.1 wherein the entire evidence has been properly appreciated after giving an opportunity to the petitioner, no interference is called for by this Court under extra ordinary writ jurisdiction.

2. I am in agreement with the findings contained in P-11 that as per the enquiry report furnished qua the petitioner in disciplinary proceedings, he has been rightly indicted on the ground that the photostat copy of the receipt regarding giving of the key of the Almirah to one Sh. Sanjeev Malhotra is not a credible testimony to establish that he was not delinquent of the charge levelled against him.

The said photostat receipt bears signs of cutting and erasing which is reflective

of the fact that the same was prepared subsequently and seems to be a bogus document. The Inquiry Officer has therefore rightly declared that the same is highly doubtful and cannot be relied upon.

3. In the premise, the petitioner was rightly held delinquent not only by the Inquiry Officer but also by the disciplinary authority resulting in the award of punishment of stoppage of one annual increment with cummulative effect. Therefore, no interference is called for by this Court in extraordinary jurisdiction under article 226 of the Constitution.

4. In view thereof, the writ petition is dismissed. No order as to costs.

22.08.2019
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(ARUN MONGA)
JUDGE

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