

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

CWP No. 11311 of 2019

Date of decision : 21.05.2019

Jaspal Singh

...Petitioner

V/s

The State of Punjab & ors.

...Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Balbir Singh Jaswal, Advocate for the petitioner.

RAJAN GUPTA J.

Petitioner, who was working as Constable, was dismissed from service after departmental inquiry vide order dated 19.01.1995 on the ground that he remained absent from duty for 70 days i.e. 30.06.1994 to 08.09.1994. Admittedly, absence from service particularly in an armed force amounts to serious mis-conduct. Thus, no lenient view can be taken. It has been urged before the court that cases of certain similarly placed employees were considered in a judgment in *CWP No. 13483 of 2010* titled as *Rajesh Kumar Sharma vs. State of Punjab & ors.* decided on 11.11.2016. In the said case, order of dismissal was set-aside with liberty to the department to conduct a fresh inquiry. In my considered view, facts of the said case are not applicable. Petitioners in those cases approached the court in the year 2010 while instant petition has been filed nine years thereafter. Twenty four years have elapsed since the petitioner was dismissed from service. Besides, this was done after holding a departmental inquiry. Petition is without any merit and is hereby dismissed.

May 21, 2019

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No