

(290) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.619 of 2005 (O&M)

Date of decision: 07.11.2019

Rajpal and anr. ...Petitioners

Versus

State of Haryana and Ors. ... Respondents

Before: Hon'ble Mr. Justice B.S. Walia.

Present: Mr. D.S. Rawat, Advocate for the petitioners.
Mr. Harish Rathee, Sr. DAG, Haryana.

B.S. WALIA, J. (ORAL)

[1] Learned counsel for the parties are in agreement that the impugned order can be set aside on account of the same having passed in derogation of the law laid down by Hon'ble the Full Bench of this Court in **Om Prakash v. The Director Postal Services, 1971 (1) SLR 648** and the competent authority be granted liberty to pass fresh order in accordance with law after complying with the principles of natural justice.

[2] In view of the statement of learned counsel for the parties, the impugned order, Annexure P-3 dated 27.11.2003 is set aside. Liberty is granted to the competent authority to pass fresh orders in accordance with law after complying with the principles of natural justice. Entitlement to the monetary benefits pursuant to setting aside of impugned order would be subject to the outcome of fresh orders to be passed by the competent authority.

[3] Writ petition is disposed of in the aforementioned terms.

07.11.2019
amit

(B.S. Walia)
Judge

1. Whether speaking/reasoned : Yes/No.
2. Whether reportable : Yes/No.