

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

CWP No.11512 of 2015 (O&M)

Date of Decision: 19.07.2019

Ranjit Singh

... Petitioner

Versus

Sant Longowal Institute of Engineering and Technology and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. K.S.Dadwal, Advocate,
for the petitioner.

Mr. Karan Singh Sandhu, Advocate,
for respondents No.1, 3, 4 and 8.

Mr. Tribhuwan Singla, Advocate,
for respondent No.2.

Mr. Arvind Moudgil, Advocate.

ARUN MONGA, J.(ORAL)

1. Impugned herein is an order dated 20.02.2015 (Annexure P-28), whereby the petitioner has been compulsorily retired from service. It is, *inter alia*, alleged by the petitioner that he has been victimized on account of being a whistle blower, owing to which charge-sheet was issued to him which led to initiation of departmental proceedings culminating in the impugned order by the Disciplinary Authority.

2. Admittedly, the petitioner had preferred a statutory appeal on 24.02.2015 against the order impugned herein. However, without waiting for the outcome of the said appeal, he also filed the instant writ petition on 27.05.2015 before this Court.

3. In the premise, it seems, that after filing and during pendency of the writ petition, the Appellate Authority restrained itself, in my opinion rightly so, from proceeding with adjudication of the appeal, to avoid being seen as over reaching this Court.

4. In the circumstances, without dilating on and expressing any opinion on the allegations of victimization of the petitioner and/or merits of the case, it would be just and fair, if direction is given to Appellate Authority to decide the petitioner's appeal by passing a speaking order.

5. It is expected that petitioner would be afforded an opportunity of personal hearing before decision on his appeal.

6. Writ petition is, accordingly, disposed of with a direction to the Appellate Authority to decide the appeal within a period 3 months from the date of receipt of a certified copy of this order.

19.07.2019

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No