

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-19762-2019 (O&M)
Date of Decision: 22.07.2019

Sukhdev Singh

--Petitioner

Versus

State of Punjab & others

--Respondents

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

Present:- Mr. R.K. Sandhu, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J (Oral)

As per pleadings on record petitioner was promoted as Manager, a common cadre post on 30.8.2006 by the Punjab State Co-operative Bank Ltd. an apex body under the aegis of Department of Cooperation, Punjab. He was subsequently promoted as Senior Manager vide order dated 29.11.2010. A charge sheet dated 16.6.2014 was issued, *inter alia*, for the misconduct of misutilisation of funds and embezzlement to the extent of Rs.2.5 crores approximately. The conclusion of the departmental proceedings resulted into the order dated 1.7.2015 passed by the Managing Director of the Punjab State Cooperative Bank imposing upon the petitioner the major penalty of removal from service.

Petitioner availed of his statutory remedy of appeal before the Chairman, Punjab State Cooperative Ltd. on 16.7.2015.

Since the Appellate Authority was sitting over the matter, the petitioner filed CWP-27285-2018 and which was disposed of on 20.12.2018 with a direction to the Appellate Authority to decide the pending appeal within a period of three months.

Counsel would advert to the order dated 13.3.2019 placed on record at Annexure P-4 whereby a view has been taken that the major

penalty of removal from service was not justified and as such, the punishment is reduced to that of demotion from the post of Senior Manager to the post of Manager from the date of passing of the order of removal from service.

The grievance set forth in the instant petition is that while taking such decision a Govt. nominee had given a dissenting note and accordingly the matter was referred to the State Govt. for taking a final view.

Counsel submits that petitioner has been out of service since the year 2013 and till date the State Govt. has not taken a final decision in the matter.

Notice of motion.

On the asking of the Court, Ms. Anu Pal, learned D.A.G., Punjab accepts notice on behalf of respondents no.1 and 2 and waives service. A complete copy of the writ paper book already stands furnished to learned State counsel.

Statement of learned State counsel is recorded to the effect that in pursuance to the matter having been referred to the Govt. vide order dated 13.3.2019 (Annexure P-4), a final decision would be taken expeditiously and in any case within a period of two months from today.

In the light of such statement made by learned State counsel, no further directions are required to be passed.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

22.07.2019

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No