

Sr. No.115

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

CWP No.30659 of 2019 (O&M)

Date of Decision: 03.12.2019

Amardeep Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Vishneet Singh, Advocate for
Mr. P.S.Khurana, Advocate,
for the petitioner.

ARUN MONGA, J.(ORAL)

1. Petitioner herein seeks issuance of a writ in the nature of certiorari to quash order dated 11.03.2016 (Annexure P-1) passed by Additional Chief Secretary (Taxation), Punjab whereby his period of suspension from 12.10.2012 to 25.08.2014 has been ordered to be treated as leave of the kind due in view of Rule 7.3 (5), Volume I, Part I, of the Punjab Civil Services Rules.

2. The petitioner while working as Excise and Taxation Officer stood convicted in terms of judgment dated 04.02.2013 passed by the competent Court in FIR No.242 dated 24.10.2000 under Section 498-A IPC. The sole basis of the imposition of the extreme penalty of dismissal was the conviction of the petitioner under Section 498-A IPC.

3. In pursuance to order dated 03.05.2016 passed in CWP No.14754 of 2013, speaking order dated 03.08.2016 has been passed by Excise and Taxation Commissioner, Patiala, Punjab vide

which orders for suspension issued against the petitioner were cancelled.

4. The petition is hopelessly delayed inasmuch as it has been filed after more than 03 years for impugning the aforesaid order. Even otherwise perusal of contents of the writ petition do not inspire any confidence.

5. The entire narrative in the writ petition and the contentions raised therein is on the merits of the impugned order without there being even a whisper to the circumstances as to why the petitioner having once acquiesced in the impugned order has all of a sudden preferred to file a writ petition in the year, 2019 as a bolt from the blue.

6. Writ petition is, accordingly, dismissed on the ground of delay and laches.

03.12.2019

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No