

Sr. No.123

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

CWP No.24405 of 2019 (O&M)

Date of Decision: 05.09.2019

Shashi Bala

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. JPS Sidhu, Advocate,
for the petitioner.

Ms. Ambika Bedi, AAG, Punjab.

ARUN MONGA, J.(ORAL)

In para 24 of the writ petition, the petitioner has candidly stated that there is a provision for appeal under the Punjab Civil Services (Punishment and Appeal) Rules, 1970 to challenge the punishment orders dated 30.07.2019 Annexures P-4 and P-27 respectively, which are impugned herein.

2. The petitioner states that he is compelled to approach this Court since the appeal filed by him was not entertained by the dealing clerk in the office of the appellate authority.

3. Learned counsel submits that neither any endorsement number has been given to the petitioner nor any date has been fixed for hearing of the appeal.

4. Notice of motion.

5. On advance service of the petition, Ms. Ambika Bedi,

AAG, Punjab appears and accepts notice on behalf of the State.

6. Given the nature of order being passed, there is no necessity to seek return by the respondents as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to respondent No.1 to fix the appeal for an actual date of hearing which is stated to have been filed by the petitioner by giving it to the dealing clerk.

8. In the event, the appeal is not found on the record of the office of the Appellate Authority, then the respondents shall treat the present writ petition as an appeal and pass an appropriate order, in accordance with law, after according an opportunity of being heard to the petitioner.

9. Let the needful be done within a period of 3 months from the date of receipt of a certified copy of this order.

10. Disposed of in above terms.

05.09.2019

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No