

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

**CWP No. 31641 of 2019
Date of Decision:01.11.2019**

Anupa Kapoor

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Sukhdip Singh Brar, Advocate for the petitioner.

TEJINDER SINGH DHINDSA J.(Oral)

Challenge in the instant petition is to the order dated 20.09.2019 (Annexure P-6) passed by the Managing Director of the respondent-Punjab Agro Industries Corporation Limited and whereby services of the petitioner who was serving on the post of Senior District Manager have been dismissed.

Pleadings on record would indicate that the major penalty of dismissal has been imposed upon the petitioner upon the culmination of departmental proceedings that were initiated by virtue of a charge-sheet having been served upon her at Annexure P-2 under the Punjab Civil Services (Punishment and Appeals) Rules 1970.

During the course of arguments, Mr. Sukhdip Singh Brar, Advocate would fairly concede that against the impugned order of dismissal dated 20.09.2019 passed by the Managing Director of the respondent-Corporation , the petitioner would have a statutory remedy of appeal before the State Government.

In the considered view of this Court, the petitioner ought to avail

of such statutory remedy.

At this stage, Mr. Sukhdip Singh Brar, Advocate seeks withdrawal of the writ petition so as to avail of the remedy of appeal. A submission has been made that in case an appeal is preferred within a period of two weeks from today, directions be issued to the Appellate Authority/Appropriate State Authority to take a decision on the appeal in a stipulated time frame.

Prayer made by counsel is found to be just and reasonable.

In the eventuality of the petitioner preferring a statutory appeal against the order of dismissal dated 20.09.2019 on or before 15.11.2019, the Appellate Authority would make an endeavor to decide the same expeditious and in any case within a period of four months from the date of submission of the same.

It is however made clear that this Court has not opined as regards the validity of the dismissal order dated 20.09.2019 at Annexure P-6.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

November 01, 2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No