

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

CWP No.3608 of 2019 (O&M)

Date of Decision: 29.01.2020

Sanjeev Kumar

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Manoj Makkar, Advocate,
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

RITU BAHRI, J. (ORAL)

Petitioner was appointed as Clerk in Municipal Committee, Panipat on regular basis in the month of June, 1994. Thereafter, he was appointed as Gram Sachiv in the office of Block Development Panchayat Officer, Bapoli, District Panipat, in December, 2000. The petitioner remained absent from August 2015 to 19.11.2015. On account of this absence, enquiry proceedings were initiated. An Enquiry Officer was appointed. After issuing the charge sheet, enquiry was conducted. Ultimately, vide order dated 17.04.2017 (Annexure P-11), petitioner was dismissed from service. Appeal against the said order has been dismissed vide order dated 20.12.2017/26.02.2018 (Annexure P-13).

Petitioner has served the department for almost 21 years without any adverse record. Annexure P-4 are the comments of the BDPO, Bapoli, regarding work and conduct of the petitioner, under whose supervision, he was working. The petitioner has been terminated only on

account of absence from duty for about four months. This is a very harsh punishment and is disproportionate to the misconduct of the petitioner.

In this view of the matter, this petition is allowed and the respondents are directed to pass a fresh order in accordance with law, within a period of three months from the date of receipt of certified copy of this order.

(RITU BAHRI)
JUDGE

29.01.2020
ajp

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No