

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

Date of decision: 13.02.2020

CM No.380-C of 2020 in/and
RSA No.1693 of 2003

Punjab State & others

...Appellants

Vs.

Buta Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Ms. Akshita Chauhan, AAG, Punjab.

Mr. Sarbjit Singh Khaira, Advocate, for the
 applicant/respondent.

RAJIV NARAIN RAINA, J. (ORAL)

CM No.380-C of 2020

Application is allowed and the date of hearing is advanced. The main appeal is ordered to be taken up for final disposal today itself.

RSA No.1693 of 2003

No regular enquiry can be claimed in the case of a probationer discharged under Rule 12.21 of the Punjab Police Rules before the end of the probation on the finding of the Senior Superintendent of Police that he is not likely to make an efficient police officer. The learned first Appellate Court have gravely erred in thinking that a regular enquiry was required who has unsettled the discharge order and ordered reinstatement of the plaintiff/respondent. The discharge took place in the year 1994 when conditions in Punjab were bad due to militancy. A probationer policeman missing from the police force for 99 days is a sufficient ground for ringing the alarm bells which alone shows that he should not have been recruited in the police force in the first place, which is a disciplined uniformed force.

Accordingly, the instant appeal is allowed. The judgment and decree passed by the learned first Appellate Court are set aside.

13.02.2020
Vimal

[RAJIV NARAIN RAINA]
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>