

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-15357-2015

Date of Decision:-24.02.2020.

Madan Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Sandeep Bansal, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Manbir Singh Batth, Advocate for respondent No.4.

SANJAY KUMAR, J. (Oral)

The petitioner, an Accountant in the service of the Municipal Council, Dasuya, District Hoshiarpur, suffered a major penalty in the form of stoppage of two increments with cumulative effect.

Aggrieved thereby, the petitioner seems to have preferred a review appeal before the Cabinet Minister of the Local Government Department at Punjab. However, as per the written statement filed by the authorities, respondent Nos.1 to 3 herein, the remedy for the petitioner was to file a memorial before the Governor of Punjab and not an appeal before the Local Government Minister. It is however not in dispute that the petitioner took recourse to the erroneous remedy within time and there was

no delay on his part.

This being the situation, this Court is of the opinion that it would be appropriate to allow the petitioner to approach the competent authority by way of a memorial, so that he can seek redressal of his grievance as per the prescribed procedure.

The writ petition is accordingly disposed of permitting the petitioner to file his memorial before the authority concerned within two weeks from the date of receipt of a certified copy of this order. In the event such a memorial is preferred, the same shall be considered on its own merits and in accordance with the due procedure expeditiously.

No order as to costs.

(SANJAY KUMAR)
JUDGE

February 24, 2020.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.