

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-21858 of 2014

Date of decision: 15.01.2020

Tajinder Singh

.... Petitioner

versus

State of Punjab and others

... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. K.S. Dadwal, Advocate
for the petitioner.

Mr. Mehardeep Singh, Addl. AG, Punjab.

HARSIMRAN SINGH SETHI, J.

Learned counsel for the respondents states that the appeal which was filed by the petitioner against the order dated 24.02.2014 (Annexure P/3) has already been decided vide letter No.05/51/2014-5LG3/370 dated 2.2.2017 and the said letter has also been conveyed to the petitioner. Copy of the same has been attached as Annexure R-1 with the reply filed. Today, an affidavit of Mr.Balbir Singh, Under Secretary, Government of Punjab, Department of Local Government has been filed alongwith which an order dated 12.12.2019, has been attached as Annexure R-1/T, according to which, order dated 02.02.2017 is to be treated as the one deciding the appeal of the petitioner.

Relevant averments made in the affidavit are as under: -

“3. That in compliance to the above orders dated 26.9.2019 passed by this Hon'ble High Court, it is submitted that the appeal preferred by the petitioner dated 17.04.2014 against the order of punishment dated 24.02.2014 has been decided and

communicated to the petitioner vide letter no.05/51/2014-5LG3/370 dated 02.02.2017 and this order was attached as Annexure R-1 with the affidavit dated 14.02.2017 filed in this Hon'ble High Court.

4. That the above said order dated 02.02.2017 is now issued in the proper format vide order No.05/51/2014-5LG3/2271 dated 12.12.2019, the copy of which has already been supplied to the petitioner vide Endst. No.05/51/2014-5LG3/2274 dated 12.12.2019; the true translated copy of this order is annexed herewith as Annexure R-1.

5. That the deponent has complied with the order passed by this Hon'ble High Court dated 26.09.2019 as submitted above.”

Learned counsel for the petitioner prays that as the order rejecting the appeal has been finalized and conveyed to the petitioner now, hence, he be allowed to withdraw the present writ petition with liberty to the petitioner to challenge the said order by availing his appropriate remedy. He further prays that the interim order passed in the present writ petition be continued for the period of two weeks so as to enable the petitioner to file memorial before the competent authority against the order rejecting the appeal of the petitioner.

Keeping in view the above, the present petition is disposed of with liberty to the petitioner to challenge the order rejecting his appeal by availing appropriate remedy. It is made clear that for the period of two weeks, interim order already passed in this writ petition, will continue.

(HARSIMRAN SINGH SETHI)

JUDGE

15.01.2020

aarti 1. Whether speaking/non-speaking?

Yes

2. Whether reportable?

No