

CWP-19115-2020

Date of decision: 11.11.2020

Dharamveer

.....Petitioner

versus

Pepsu Road Transport
Corporation and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Arun Singla, Advocate
for the petitioner.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioner has invoked the jurisdiction of this Court in terms of Articles 226/227 of the Constitution of India seeking prayer by way of writ of *mandamus* for issuance of directions to respondents to decide the Statutory Appeal dated 05.12.2018 (Annexure P-4) preferred by the petitioner against the Departmental Promotion Committee within some time bound manner by passing a speaking order and for issuance of a writ in the nature of *certiorari* for quashing the proceedings of DPC held by respondents on 09.11.2018 (Annexure P-3).

Notice to the official respondents No.1 and 2-State.

Mr. Shireesh Gupta, Senior DAG, Punjab has put in appearance and accepts notice on behalf of the official respondents No.1 and 2-State. Copy supplied.

Learned counsel for the petitioner *inter alia* contends that the petitioner was appointed as conductor on 27.04.2005 in Pepsu Road Transport Corporation ('PRTC' in short) in Faridkot Depot and since then put in sustained hard work with total dedication and loyalty. During the course of his service, the petitioner was issued with a memorandum of charges along with list of witnesses on 09.09.2014 mainly for dereliction in performance of duty. On inquiry, petitioner was held guilty for creating indiscipline and violating the rules, on the basis of which, a show cause notice dated 18.06.2015 was issued to the petitioner wherein, the General Manger proposes to impose penalty of stoppage of four annual increments with cumulative effect and sought written reply from him. He further submits that without considering the reply, the General Manager, PRTC, Budhladha Depot, passed order dated 22.07.2015, whereby, order of stoppage of three annual increments with cumulative effect was passed against the petitioner and the same was partially modified by respondent No.2 vide order dated 05.08.2016 and reduced the penalty to stoppage of two annual increments with cumulative effect but during the inquiry, it has been found that neither the time has been missed nor any loss has been caused to the

department and on the basis of this false case, promotion of the petitioner has been stopped, whereas, his juniors have been promoted on the post of sub inspector and thus, seeking the present relief.

Heard.

Upon hearing learned counsel of both the sides and on perusal of the records, the present petition stands disposed off with the directions to the official respondents to consider the statutory appeal moved by the petitioner dated 05.12.2018 (Annexure P-4) and decide the same, in accordance with law, by passing a speaking order preferably within a period of one month from the date of receipt of the copy of this order.

The petition stands disposed off accordingly.

11.11.2020

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No