

S.No.110

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

CWP No.21331 of 2020 (O&M)

Date of Decision:11.12.2020

Shiv Darshan

.....Petitioner

Vs.

State of Haryana and another

.....Respondents

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IN VIRTUAL COURT
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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Jamshed Ahmed, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Article 226/227 of the Constitution of India for issuance of an appropriate order, direction or writ in the nature of certiorari for setting aside the impugned order dated 25.11.2020 (Annexure P.9) whereby the petitioner was demoted as peon from the post of Clerk and impugned charge sheet dated 08.01.2019 whereby the petitioner was charge-sheeted under Rule 7 of Haryana Civil Services (Punishment & Appeal) Rules, 2016.

At the outset, learned counsel for the petitioner has pointed out that the order impugned in the present petition is appealable under the statutory rules. Therefore, the petitioner would like to avail his statutory remedy in the first instance. However, it is submitted that the petitioner be granted the benefit of condonation of delay in filing the appeal.

In view of the above, the present petition is dismissed as withdrawn with liberty to the petitioner to avail his alternate remedy of statutory appeal.

Since the petitioner had filed the present petition before this Court on 28.11.2020/07.12.2020, therefore, while calculating the period of limitation in appeal, the period from 28.11.2020/07.12.2020 till today, shall be excluded by the concerned authority.

December 11, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No