

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

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IN VIRTUAL COURT

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**CWP No. 5862 of 2021
Date of decision : 22.7.2021**

Bansi Lal

.....Petitioner

Vs.

Union of India and others

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Rajiv Anand, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

This petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of certiorari quashing the order dated 27.5.2017 (Annexure P-16), vide which the petitioner has been awarded punishment of 'Stoppage of Two Annual Increments Without Cumulative Effect' on the basis of charge sheet dated 13.7.2016 (Annexure P-3), which was issued after the petitioner was found 'not guilty' in the preliminary enquiry report dated 20.9.2014 (Annexure P-2) and even after the withdrawal of the complaint dated 21.3.2017 (Anexure P-13), which was filed on 17.9.2014 (Annexure P-1) and on the basis of which the preliminary enquiry and departmental, proceedings were initiated. Further prayer of the petitioner is to quash the order dated 8.12.2017 (Annexure P-18) vide which the appeal filed by the petitioner under Rule 28 of CRPF Rules has been rejected by passing a non speaking, non reasoned order and without appreciating any of the contentions made by the petitioner in his earlier appeal dated 27.6.2017 (Annexure P-17). Quashing of charge memo dated 13.7.2016 (Annexure P-3)

is also prayed by submitting that on the basis of this charge memo inquiry proceedings have been conducted resulting in passing of impugned orders dated 27.5.2017 (Annexure P-16) and dated 8.12.2017 (Annexure P-18).

It is also prayed in the petition that the punishment order dated 27.5.2017 (Annexure P-16) be also stayed till the pendency of the present petition. In the alternative, the prayer of the petitioner is for issuance of a writ of mandamus directing the respondents to consider and decide the revision petition filed on 3.1.2018 (Annexure P-19) regarding which reminder has also been given on 19.11.2018 (Annexure P-20).

Counsel for the petitioner submits that since the respondents have disputed the receipt of the statutory revision earlier filed by the petitioner; against the punishment order and the order of the Appellate Authority, therefore, he would again approach the authorities with the statutory revision petition. Hence, the present petition be permitted to be withdrawn with liberty to file the statutory revision petition.

Dismissed as withdrawn with liberty to avail the remedy of revision, in accordance with law.

(RAJBIR SEHRAWAT)
JUDGE

22.7.2021
Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No