

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

CWP-14114-2021

Date of decision: 29.07.2021

Som Nath

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Ms. Meghna Nehra, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

(Presence marked through Video Conference)

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ARUN MONGA, J. (ORAL)

Civil Writ Petition herein is under Article 227 of Constitution of India seeking issuance of directions to respondent No.1 to decide the statutory appeal (Annexure P-5) filed by the petitioner under Rule 9 of the Haryana Civil Services (Punishment and Appeal) Rules, 2016 against the order dated 26.02.2021/24.03.2021 in a time bound manner, after granting an opportunity of hearing to the petitioner.

2. Learned counsel for the petitioner submits that petitioner was terminated from service vide order dated 24.05.2005 and his appeal against the order of termination was also dismissed on 16.11.2006. Thereafter, he filed CWP No.8862 of 2007 against the above said two orders. While allowing the writ petition, impugned orders were set aside and petitioner was reinstated. But matter was remanded to the disciplinary authority to place the petitioner under suspension and commence the proceedings afresh from the stage of submission of report by the enquiry officer to the disciplinary authority. Vide order dated 26.02.2021, punishing authority directed that petitioner shall not be entitled to any pension. The appeal which the

petitioner has filed against this order is still pending and has not been decided by the appellate authority.

3. I have heard learned counsel for the petitioner and gone through the case file.

4. It is well known to all that due to the current scenario caused by the pandemic, the Courts/statutory tribunals are working under certain restrictions. Any direction to the Court below to take up a particular case out of turn would unnecessarily give a wrong signal, as all cases are required to be heard as per turn.

5. In the premises, no ground is made out to interfere.

6. However, instant petition is disposed of with an expectation from the Appellate Authority that, subject to pandemic restrictions, it would take up the matter as expeditiously as possible and try to dispose of the same.

7. Instant order of this Court shall not be construed, in any manner, to mean that in case physical hearings have not been resumed by the Appellate Authority then any exception has to be made qua the appeal in question.

(ARUN MONGA)
JUDGE

29.07.2021

vandana

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No