

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(252)

CWP-10244-2018

Date of Decision : May 23, 2022

Ishpal Singh Chauhan

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajesh K. Kataria, Advocate, for the petitioner.

Mr. Narender Singh Behgal, Assistant Advocate General,
Haryana.

Mr. Arjun Dosanj, Advocate, for
Mr. C.S Bakhshi, Advocate, for respondents No. 2 to 4.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner submits that in the present petition, impugned order dated 04.02.2010 (Annexure P-14) was passed imposing the punishment of recovery of Rs.2,07,158/- against which order, the petitioner filed appeal before the Board. Learned counsel for the petitioner further submits that rather than deciding the appeal in a manner required, appeal filed by the petitioner has been decided by way of resolution, which is incorrect. Learned counsel for the petitioner argues that it is a settled principle of law that once several grounds have been taken to challenge the decision/punishment, the appellate authority is required to apply its mind on all the grounds and pass a detailed speaking order.

Learned counsel for the petitioner further argues that especially where the petitioner has raised a grievance that the other employees, who were also stated to be involved, has been exonerated whereas the petitioner has been held guilty.

Faced with this situation, learned counsel for the respondents submits that the order passed in appeal may kindly be treated as withdrawn with liberty to pass a fresh order within a period of eight weeks in accordance with law.

Learned counsel for the petitioner submits that as the order in appeal has been withdrawn by the respondents, no further grievance of the petitioner survives in the present petition and the same may kindly be disposed of having been not pressed any further.

Ordered accordingly.

May 23, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No