

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

206

CWP-1960-2015

DATE OF DECISION: 03.08.2022

LAKHWINDER SINGH

... Petitioner(s)

Versus

PUNJAB STATE POWER CORPORATION LTD PATIALA AND ORS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vijay Kumar Rana, Advocate for the petitioner.

Mr. Gurwinder Singh Sidhu, Advocate for the respondents.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has sought quashing of the impugned order dated 03.10.2011 (Annexure P-3) passed by the Deputy Chief Engineer, Distribution (North), PSPCL, Jalandhar/respondent No.3 vide which punishment of stoppage of two annual increments without cumulative effect has been imposed against the petitioner.

Learned counsel for the petitioner submits that the impugned order dismissing the appeal of the petitioner against punishment of stoppage of annual increments has been rejected by the appellate authority in a cryptic manner without assigning any reasons.

Learned counsel for the respondents, however, submits that the petitioner had been furnished adequate opportunity in the enquiry proceedings and only after consideration of the matter the order was passed by the disciplinary authority. The appellate authority had also given due consideration to the appeal filed by the petitioner.

Heard.

The petitioner has been imposed punishment of stoppage of two annual increments by the disciplinary authority. His appeal hereagainst had been dismissed. The order passed by the appellate authority is reproduced hereunder:-

“I have heard the official and find no merit in the explanation put up by the official. So rejected.”

It is, thus, manifest that the appellate authority has declined the appeal of the petitioner by a cryptic and non-speaking order. No reasons have been assigned over the rejection. It was enjoined on the appellate authority to have duly considered the appeal and it should have been decided by a well reasoned order.

Consequently the impugned order dated 23.11.2012 (Annexure P-4/T) passed by the appellate authority is set aside. The appellate authority would consider and decide the appeal in accordance with law after affording an opportunity of hearing to the petitioner. The needful shall be done within a period of four months from now.

(ANUPINDER SINGH GREWAL)
JUDGE

03.08.2022

SwarnjitS

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No