

In the High Court of Punjab and Haryana at Chandigarh

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CWP-24722-2017 (O & M)

Date of Decision: May 20, 2022

ROSHAN LAL

.....PETITIONER

VERSUS

UNION OF INDIA ETC

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.N. S. Kamboj , Advocate for the petitioner.

Mr. Arun Kumar, Advocate for
Mr. Vishal Gupta, Advocate for respondent No.1.

Mr. Bhushan Bhatia, Advocate
for respondents No.2 and 3.

ANUPINDER SINGH GREWAL, J (ORAL)

On 15.11.2017, a Coordinate Bench of this Court while issuing notice had restricted the scope of this petition to the quantum of sentence.

Learned counsel for the petitioner submits that the petitioner had been removed from service after he had rendered unblemished service of 26 years. The petitioner had to manage a large amount in cash and there could be a mistake on the part of the petitioner in counting the same. He is 54 years old and has to look after his aged mother, his wife and three children, who are students.

Learned counsel for the respondents submits that the petitioner was the cashier and in view of the serious allegation of not crediting ₹10,000/- into the loan account of the farmer, lesser punishment than removal of service, would not be called for.

Heard.

The allegation against the petitioner is that the correct amount was not credited by the petitioner, who was a cashier, into the loan account of the

farmer, who had paid cash to him. The loanee had made a complaint that an amount of ₹10,000/- is not reflected in his statement and upon inquiry on that very day, the amount was found lying in the cabin of the petitioner. The petitioner had returned the amount on that very day and no loss had been caused to anyone. The petitioner had put in unblemished service of 26 years. He is about 55 years old and has five family members, who are dependent upon him including three children, who are students. The Appellate Authority while dismissing the appeal of the petitioner has not taken into account the length of service of the petitioner while passing the impugned order.

Consequently, the petition is allowed and the order passed by the appellate authority is set aside. The case of the petitioner is remanded back to the appellate authority, which shall afford an opportunity of hearing to the petitioner and after taking into account the relevant factors including the length of service of the petitioner, pass a fresh order within a period of three months from the date of receipt of certified copy of this order.

(ANUPINDER SINGH GREWAL)
JUDGE

May 20, 2022
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No