

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

**CM NO. 1651 OF 2022 AND
CWP NO. 23802 OF 2021**

DATE OF DECISION: 26.04.2022

Nirmala Rani

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Arun Singla, Advocate,
for the petitioner.

Mr. Pankaj Midda, Addl. AG. Haryana.

ARUN MONGA, J.(ORAL)

CM-1651-CWP-2022

For the reasons stated in the application, same is allowed and inquiry report along with statement contained at Annexure P-9 is taken on record, subject to all just exceptions.

MAIN CASE

Petitioner herein, *inter alia*, seeks quashing of order dated 24.09.2020 (Annexure P-8) whereby statutory appeal dated 20.06.2018 (Annexure P-4) preferred by him against order dated 15.05.2017 (Annexure P-3) passed by respondent No.3 has been dismissed and two annual increments of the petitioner have been stopped with cumulative effect.

2. I have heard rival contentions of learned counsels for the parties.

3. Petitioner was held guilty of having broken the lock of and occupying a government quarter, in the absence of its actual allottee and lawful occupant.

4. No doubt, the petitioner being 100% visually impaired was accorded out of turn appointment but it does seem that instead of valuing the same, she continued to use her disability to harass her colleagues as well as employer. The nature of such misconduct ordinarily would invite much harsher punishment including dismissal. Since the punishing authority has already taken a very lenient view perhaps considering her disability and only stoppage of two annual increments with cumulative effect has been ordered, no ground for interference is made out.

5. The writ petition is being dismissed simpliciter.

APRIL 26, 2022
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned :
Whether reportable :

Yes/No
Yes/No