

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

230

CM-5589-CWP-2021 in/and
CWP No.22236 of 2020 (O&M)
DATE OF DECISION : 8th MARCH, 2022

Manish

.... **Petitioner**

Versus

**Union of India through Secretary, Ministry of Communication & IT,
Department of Posts, Dak Bhawan, New Delhi & others**

.... **Respondents**

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

=====
In virtual Court
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Present : Mr. Sandeep Singh Sangwan, Advocate for petitioner.

Mr. S. P. Jain, Additional Solicitor General of India with
Mr. Namit Kumar, Sr. Panel Counsel for UOI.

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RAJBIR SEHRAWAT, J. (Oral)

The petitioner has filed this petition under Articles 226 & 227 of the Constitution of India, for issuance of a writ in the nature of certiorari for quashing the impugned order bearing Memo No.B-15/3/2018-19/Disc. Dated 18.11.2020 vide which respondent No.3 has awarded the punishment to the petitioner not only dismissal from the service rather that it shall also ordinarily be a disqualification for future employment under the Government; along with certain other prayers.

The counsel for the respondents-UOI has pointed out that since the petitioner was regular employee of the Postal Department of Government of India, who was dismissed from service, therefore, the jurisdiction to adjudicate upon the validity of the dismissal lies with the

Central Administrative Tribunal (CAT). This court has already relegated several similar cases to the CAT.

In view of the above, this court does not want to continue with the present petition any more and the same is disposed of with liberty to the petitioner to move the CAT.

However, it is made clear that if the petitioner files the necessary application/petition, before the CAT within a period of 45 days from today, then the point of limitation shall not be taken against the petitioner and the said application/petition shall be considered and decided on merits.

All the pending applications, if any, stand disposed of accordingly.

8TH MARCH, 2022
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>