

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

105

**CWP-25080-2021 (O&M)
Date of decision:08.02.2022
...Petitioner**

Hardeep Singh

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Manu K. Bhandari, Advocate, for the petitioner.
Mr. Ayush Sarna, AAG, Punjab.**

ANIL KSHETARPAL, J (Oral)

The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

The petitioner prays for issuance of a writ in the nature of certiorari to quash the order dated 09.11.2021, whereby he has been dismissed from service.

Learned counsel representing the petitioner fairly admits that the order in question is appealable before the Deputy Inspector General of Police. However, he submits that the petitioner did submit reply pursuant to a show cause notice along with an inquiry report served on the petitioner. He submits that the disciplinary authority did not take into consideration the aforesaid reply.

The petitioner has the discretion to take up this point before the Appellate Authority. Once it is not in dispute that the Service Rules do provide for filing an appeal, it is not considered appropriate to entertain the writ petition to the exclusion of the remedy of filing an appeal.

Learned counsel representing the petitioner further contends that the appeal, if filed, shall not be decided by the Appellate Authority for number of years.

A service appeal is required to be decided expeditiously.

Keeping in view the aforesaid facts, the petitioner is relegated to the alternative remedy. However, if the petitioner files an appeal within a period of two weeks from today, the same shall not be dismissed being time barred and sincere endeavours shall be made to decide the same within a period of three months from the date of filing.

With these observations, the writ petition is disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

February 08, 2022
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No