

2023:PHHC:127071

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

**RSA-2339-1992 (O&M)**  
Date of decision: 29.09.2023

Pala Singh (since deceased) through LR

....Appellant

Versus

State of Punjab

..Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Mr. Mohit Giri, Advocate for  
Mr. Anurag Chopra, Advocate for the appellant

Mr. Vikas Arora, AAG, Punjab

**ANIL KSHETARPAL, J (Oral)**

1. On 10.02.2020, the following order was passed by this

Court:-

*“State to supply address of the L.Rs of late Pala Singh who was a Conductor in the Punjab Roadways. To take forward the case and conclude it, instructions are awaited from Law Officer, in the light of the interim order dated 29.8.2008. Thereafter, time was sought to seek instructions by the State. Accordingly, Mr. Sandeep Kumar, DAG, Punjab will obtain instructions from the Department as to why the punishment of termination be not converted into one of compulsory retirement, as Pala Singh had expressed his willingness before this Court on that date stating that he was willing to forgo his backwages provided he is granted pension. Twice over on 25.7.2019 and 5.9.2019, the case was adjourned.*

*Therefore, the State is directed to consider the case of the appellant on the aspect expressed above in this Court and thus, Mr. Sandeep Kumar, DAG, Punjab would return with instructions within 10 days.*

*The matter is adjourned to attempt final disposal in case there is possibility of accepting the request of the late appellant, who was alive when the order was passed in 2008. To carry out this exercise, the State does not require the presence of the L.Rs unless the order to be passed is adverse. In case the department intends to pass an adverse order, then they will find out the whereabouts of the L.Rs of the appellant, serve them, ask them if they want to be heard on the claim for release of financial benefits and then the competent authority would proceed to pass the order. The same be presented to this Court on the next date of hearing.*

*Meanwhile, it follows that the respondents with the aid of the revenue authorities of the village where Pala Singh resided would find out the whereabouts of his wife in case she is alive, or his children-son and daughter and in case alive, supply the correct address to the Registry of this Court for bringing it on record for issuance of summons in case it is deemed fit.*

*However, in case a favourable order is to be made and the financial benefits are decided to be released to the heirs of the appellant, then the State can bring an application well before the date fixed. The length of the adjournment is only to accommodate hearing the L.Rs, if required.*

*List again on 20.4.2020.*

*Copy of this order be given to DAG, Punjab, for necessary compliance.”*

2. Learned State counsel has submitted that the Director, State Transport, Punjab, has re-examined the matter and the punishment of the removal from service has been substituted with the order of the compulsory retirement vide order datd 15.09.2023.
3. Learned counsel representing the appellant submits that in view of the aforesaid development, the appeal be disposed of accordingly.

