

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

RSA No.649 of 1992(O&M)

Date of Order:06.11.2023

Food Corporation of India and others**.Appellants****Versus****Kewal Krishan Sood****..Respondent****CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Ravi Kamal Gupta, Advocate
for the appellants.

Mr. G.S.Bal, Senior Advocate, with
Mr. Dilshad S. Gill, Advocate
for the respondent.

ANIL KSHETARPAL, J

1. The learned senior counsel representing the respondent submits that the judgment passed by the First Appellate Court has already been implemented in the execution petition, and therefore, the appeal is rendered infructuous

2. In this case, the respondent filed a suit for grant of decree of declaration that the order of major penalty passed on 20.06.1981, was illegal, null and void. The trial court held that such order results in a minor penalty, whereas the First Appellate Court on the basis of the judgment passed by the Supreme Court held that the penalty of stoppage of one increment with cumulative effect results in a major punishment which could not be imposed without following the procedure prescribed for imposition of major penalty in the Food Corporation of India (Staff) Regulation, 1971.

3. The learned counsel representing the appellants submits that he has no objection if the appeal is dismissed as infructuous.

4. Since the learned counsel representing the appellant admits that the appeal is rendered infructuous, therefore the same is dismissed as such
6. All the pending miscellaneous applications, if any, are also disposed of.

November 06, 2023
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned

Whether reportable

:YES/NO

:YES/NO