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

CWP-20036-2011
Date of Decision: 30.10.2023
....Petitioner

Rohtas Chander

Versus

Presiding Officer, Industrial Tribunal-cum-Labour Court,
Panipat and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Ajay Jain, Advocate
for the petitioner.

Mr. Ashwani Talwar, Advocate
for respondent No.2.

HARSH BUNGER, J. (ORAL)

1. Petitioner (Rohtas Chander) has filed the instant Writ Petition under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of Certiorari for quashing order dated 26.04.2011 (Annexure P-6) as well as the award dated 13.05.2011 (Annexure P-7), passed by the Industrial Tribunal-cum-Labour Court, Panipat (in short 'the Tribunal') whereby, the industrial dispute raised by the petitioner regarding termination of his services has been answered against him.

A further prayer has been made by the petitioner for issuance of writ in the nature of Mandamus directing respondent No.2-Milton Cycle Industries Limited (in short 'respondent-Management') to reinstate the petitioner into service and to grant him all consequential benefits.

2. Briefly, the petitioner raised an industrial dispute regarding termination of his services. The said dispute was referred for adjudication to

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the Tribunal below. In the claim petition filed by the petitioner, he stated that he was working with the respondent-Management as Operator in Freewheel Department since 26.07.1971 and on 03.08.1978, he was served with a charge-sheet, to which he submitted his reply. Thereafter, an enquiry was stated to be conducted against the petitioner and subsequently his services were terminated vide letter No. MCI/6367 dated 18/27.03.1982. Petitioner claimed that he was not paid any suspension allowance nor any opportunity was afforded to him to defend his case and the entire enquiry was conducted without following the principles of natural justice. Petitioner claimed that the enquiry is vitiated as the charges were vague and the report of the Enquiry Officer was not supplied to him, accordingly, prayer was made by the petitioner for reinstatement in service and for grant of other consequential benefits.

3. The aforesaid claim of the petitioner was contested by the respondent-Management *inter alia* on the plea that the petitioner was involved in acts of misconduct whereupon, an action was contemplated against him and he was served a charge-sheet to which the petitioner submitted his reply denying those charges. It is stated that since the respondent-Management was not satisfied with the reply, accordingly, an enquiry was ordered and due notice was given to the petitioner to participate in the enquiry proceedings, however, despite notice, the petitioner did not appear during the enquiry. It was further submitted that the evidence was led during the enquiry to prove the charges against the petitioner-workman. It was stated that the charges leveled against the petitioner-workman were found to be duly proved by the Enquiry Officer and in terms of the certified standing orders, due permission was sought for dismissal of the petitioner-

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workman and the termination order was passed against the petitioner-workman only after receiving the permission. It is stated that the order of the punishment was passed by the Director of the Company. Accordingly, prayer for dismissal of the claim petition was made.

4. From the pleadings of the parties, the Tribunal framed the following issues :-

“1. Whether the services of Shri Rohtas Chander have been terminated validly, if not, whether he is entitled to any relief? OPW

2. Whether the domestic enquiry was not fair and proper as alleged? OPW

3. Relief.”

5. Out of the aforesaid issues, issue No.2 was treated as a preliminary issue, which came to be decided by the Tribunal below vide order dated 26.04.2011 (Annexure P-6) holding that the petitioner-workman has not produced any cogent and sufficient evidence to prove that the domestic enquiry as conducted against him was not fair and proper, therefore, the preliminary issue was answered against the petitioner-workman.

Thereafter, the Tribunal below proceeded to decide the reference vide impugned award dated 13.05.2011 (Annexure P-7) whereby, it was held that termination of services of the petitioner was fully justified and in order and the same calls for no interference.

6. In the aforementioned circumstances, the petitioner has filed the instant Writ Petition before this Court.

7. Learned counsel for the petitioner submits that the Tribunal has erred in law and fact in answering the reference against the petitioner

without considering the material/evidence placed on the record. It is

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submitted that the petitioner had raised an objection regarding appointment of Shri Kanwal Singh (retired Labour Conciliation Officer) to be the Enquiry Officer by stating that the said Enquiry Officer has been dependent on the Management for his survival after retiring from the Government service. It is further submitted that the Tribunal has failed to consider the aforesaid submission made on behalf of the petitioner. Learned counsel for the petitioner submits that the petitioner has been made a scapegoat by the respondent-Management to settle scores with the Trade Union as the petitioner was an active member of the Trade Union namely Milton Cycle Mazdoor Sangharsh Samiti (Regd.). It is further contended that the Tribunal has wrongly held that the domestic enquiry conducted against the petitioner, was fair and proper as the respondent-Management had not produced on record the Enquiry Report nor any other evidence has been led to show that the enquiry has been conducted in a fair manner. Learned counsel for the petitioner further submits that before imposing the punishment of dismissal from service, no opportunity of being heard was afforded to the petitioner and even otherwise, the punishment of dismissal from service, awarded to the petitioner is disproportionate to the charges leveled against him. With the aforesaid submissions, learned counsel for the petitioner submitted that the impugned order dated 26.04.2011 (Annexure P-6) as well as impugned award dated 13.05.2011 (Annexure P-7) be set aside and necessary relief be granted to the petitioner.

8. Per contra, learned counsel appearing for the respondent-Management has opposed the prayer made on behalf of the petitioner by submitting that the Tribunal has considered the entire material/evidence available on the record and has passed a well reasoned and justified order

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and award, which do not call for any interference by this Court. It is submitted that due process was followed for conducting the domestic enquiry against the petitioner after serving a charge-sheet upon him to which the petitioner had submitted his reply. It is further submitted that the Tribunal has already considered the matter in detail and has returned a finding that the domestic enquiry conducted against the petitioner was fair and proper and in view of the said finding, the imposition of punishment would fall within the domain of the respondent-Management. Learned counsel submits that keeping in view the charges made against the petitioner, which were duly proved during the enquiry, the punishment of dismissal from service awarded to the petitioner cannot be said to be disproportionate. Accordingly, prayer for dismissal of the Writ Petition has been made.

9. I have heard learned counsel for the respective parties and perused the paper book with their able assistance.

10. As regards the scope of interference in the findings of the disciplinary authorities, it would be gainful to refer to a judgment rendered by the Hon'ble the Supreme Court in the case of *Union of India v. P. Gunasekaran*, 2015(1) S.C.T. 5, wherein, it has been held as under:-

*“13. Despite the well-settled position, it is painfully disturbing to note that the High Court has acted as an appellate authority in the **disciplinary proceedings**, re-appreciating even the evidence before the enquiry officer. The finding on Charge No. I was accepted by the disciplinary authority and was also endorsed by the Central Administrative Tribunal. In disciplinary proceedings, the High Court is not and cannot act as a second court of first appeal. The High Court, in exercise*

of its powers under Article 226/227 of the Constitution of India, shall not venture into re-appreciation of the evidence. The High Court can only see whether :

- a) the enquiry is held by a competent authority;*
- b) the enquiry is held according to the procedure prescribed in that behalf;*
- c) there is violation of the principles of natural justice in conducting the proceedings;*
- d) the authorities have disabled themselves from reaching a fair conclusion by some considerations extraneous to the evidence and merits of the case;*
- e) the authorities have allowed themselves to be influenced by irrelevant or extraneous considerations;*
- f) the conclusion, on the very face of it, is so wholly arbitrary and capricious that no reasonable person could ever have arrived at such conclusion;*
- g) the disciplinary authority had erroneously failed to admit the admissible and material evidence;*
- h) the disciplinary authority had erroneously admitted inadmissible evidence which influenced the finding;*
- i) the finding of fact is based on no evidence.*

Under Article 226/227 of the Constitution of India, the High Court shall not:

- (i) re-appreciate the evidence;*
- (ii) interfere with the conclusions in the enquiry, in case the same has been conducted in accordance with law;*
- (iii) go into the adequacy of the evidence;*

- (iv) *go into the reliability of the evidence;*
- (iv) *interfere, if there be some legal evidence on which findings can be based.*
- (v) *correct the error of fact however grave it may appear to be;*
- (vi) *go into the proportionality of punishment unless it shocks its conscience.*

11. In the instant case, the petitioner was served with a charge-sheet dated 03.08.1978 (Annexure P-1), the relevant extract of which reads as under:

“MCI/100371

August 3, 1978

Shri Rohtash Chander

C/o. Shri Sube Singh Lineman,

West Ram Nagar, SONEPAT

Re: Copy of the charge sheet-cum-suspension pending Enquiry Memo No.MCI/3117 dated 03.08.1978

It has been reported that on 1st August, 1978 at about 11.30 A.M. you abused Shri Hardayal Singh, Helper near Press No.56 in the Free Wheel Section and beat him and threatened him with dire consequences outside the factory.

In this way you are reported to have created a scene and undermined the discipline of the factory for which you are liable to strict disciplinary action under the Standing Orders of the Company. You are therefore, charged as under:-

- (a) for violent and disorderly behaviour during working hours of the factory*
- (b) for acts subversive of discipline*

You are, therefore, required to explain in writing within 24 hours of the receipt of this charge sheet as to why strict disciplinary action should not be taken against you failing which it shall be presumed that you have nothing to do say in the matter and as such action will be taken against you

In view of the gravity of mis-conduct and to maintain proper discipline in the organisation, you are placed under suspension pending inquiry into the matter with immediate effect.

CC:I/C/ F/W Section for The Milton Cycle Industries Limited

Time Office Sd/-

Personal Office Factory Manager

Security Deptt.”

13. Since the petitioner did not appear before the Enquiry Officer and neither he received the registered letters sent to him, accordingly, the petitioner was proceeded against *ex parte* on 27.10.1978 and the respondent-Management proceeded to examine the witnesses namely Sh. Hardayal

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Singh as MW-1, who deposed that the petitioner had abused him and slapped him after catching hold of his neck and further threatened to see him during the lunch hours. He further deposed that a complaint in writing was submitted to the Factory Manager. The aforesaid witness was cross-examined by the Enquiry Officer itself and it has come on record that the petitioner had abused and slapped him in the presence of Sh. Radhe Shyam and was also abused in presence of Sh. R.S. Chugh.

Sh. R.S. Chugh was examined as MW-2, who deposed that while he was on duty on 01.08.1978 then at about 11:45 A.M., Sh. Hardayal Singh came to him with a written complaint against the petitioner. He stated that while he was reading the complaint, then the petitioner reached there and abused Sh. Hardayal Singh and said that he will see him during the lunch hours. Sh. R.S. Chugh further stated that he took both of them along with him to the Factory Manager and handed over the complaint of Sh. Hardayal Singh to the Factory Manager. Another witness examined during the enquiry was Sh. Radhe Shyam as MW-3 who also stated that while he was on duty on 01.08.1978, at about 11:30 A.M., when he was working then all of a sudden, he heard abusive language of Sh. Rohtas Chander (petitioner) in a loud tone and when he looked towards him, then he noticed that the petitioner slapped Sh. Hardayal Singh by catching hold of his neck.

Sh. H.K. Relan was also examined as a witness during the enquiry as MW-4, who stated that he was working with the organization for the last more than 11 years. He deposed that the petitioner picked up a quarrel with Sh. Hardayal Singh on 01.08.1978; whereupon, a complaint was made by Sh. Hardayal Singh.

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14. Considering the evidence led during the enquiry, the Enquiry Officer submitted an Enquiry Report dated 22.02.1979, holding as under :-

“Since the evidence led by the management, supported by documents on record’s fully corroborative in all material particulars and there being nothing in rebuttal on record on behalf of the charge sheeted workman, there is no ground which could lead me to disbelieve the evidence adduced by the management.

On the other hand Shri Rohtas Chander though in his explanation to the charge sheet has alleged that he was involved in a false case because of his active association with the Milton Sangharsh Samiti has not been able to prove this allegation either by oral or documentary evidence, in the absence of which I cannot believed on his explanatory allegation.

To sum up, believing the statement of the witnesses produced by the management as well as the documents filed on record I find Shri Rohtas Chander guilty of the charges that by abusing beating and threatening Shri Hardayal Singh during working hours, he committed an Act of violent and disorderly behaviour during working hours which also amounted to an Act subversive of discipline. The charges, therefore, levelled against Shri Rohtas Chander fully stand proved and I submit my findings, accordingly, to the management.”

Thereafter, the respondent-Management proceeded to pass the order of dismissal from service against the petitioner.

15. Issue No.2 was treated as a preliminary issue and while considering the same, the Tribunal below has returned its finding thereon vide order dated 26.04.2011 (Annexure P-6). The observations made by the Tribunal below on preliminary issue can be summed up as under :-

(i) workman except filing his own affidavit, is not able to produce any document in Court to prove how and in what

manner, enquiry as conducted by retired Labour Officer which was held as fair and proper could be vitiated at the belated stage.

(ii) examination of order Ex.M-1 reveals that Industrial Tribunal, Faridabad had specifically held in the order that Enquiry Officer has proved to his satisfaction that registered notices were issued to the petitioner and he was supplied hindi version of charge sheet, which he demanded and the workman was fully aware about the consequences of the charge-sheet and as per Enquiry Report, dismissal order (Ex.M-4) was passed by the Factory Manager in accordance with standing order on 16.03.1979.

16. The Tribunal below has further held as under :-

“19. As regards the aforesaid Ex. MW1/5, as passed by the Industrial Tribunal Faridabad on the above said application as moved by the respondent under Section 33 (1) (b) of the Act for seeking permission to dismiss the workman from service, the workman has not been able to place any evidence on the file to show that the aforesaid order had ever been set aside or quashed by the competent Court, meaning thereby that it has gained finality between the parties. As regards the validity and the legality and correctness of the same, this Court has no jurisdiction to sit in Appeal against the above said Order and to look into its legality and correctness. It was entirely for the workman to resort to the relevant procedure of law for assailing the same before the competent Court.

20. As a sequel to the foregoing discussion, it is held that the workman has not been to produce any cogent and sufficient evidence on the file to prove that the domestic enquiry as conducted against him was not fair and proper. Resultantly, this

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preliminary issue is answered against the workman.”

17. Further, the Tribunal below while deciding the reference, has returned the following findings :-

“Issue NO.1:

8. *Learned Authorised Representative for the workman has contended that the workman had deposed by way of his affidavit Ex.WW 1/A and asserted that he had taken interest in forming sangarsh samiti or workers of respondent concern and for this reason management fabricated false and baseless charges against him to which he submitted reply on 19.08.1978 denying all charges and respondent in the first instance appointed H.K. Rehlan as Enquiry Officer and his appointed was objected to but respondent did not inform him about change of Enquiry Officer and worker changed his residence on 08.11.1978 and gave intimation to respondent on 11.08.1978 and 18.08.1978 but respondent continued correspondence at old address and workman was not given any opportunity to participate in enquiry, witnesses were forced to depose against him in enquiry, he was involved in false litigation, Order of termination which was effective from 24.11.1980 were given on 27.03.1982, no second Show Cause Notice was given and proper opportunity was not given and appointment of Enquiry Officer was against rules and management had decided to terminate services of workman and therefore, the Enquiry Report as submitted by the afore named Enquiry Officer, cannot be taken into consideration because he was biased against the workman.*

9. *On the other hand, Learned Authorised Representative for the respondent has referred to the statement of Shri G.L. Rishi MW-1 who filed his affidavit Ex. MW-1/A and deposed that charge sheet Ex. MW1/1 was given to workman and after his reply enquiry was Ordered and Enquiry Officer issued notice to workman to participate in enquiry and enquiry proceedings conducted were produced as Ex. MW-1/2 page 1 to*

9 so conducted by Kanwal Singh which he had written on his dictation and original record was submitted before Industrial Tribunal where Application No. 46 of 1979 was submitted and produced copy of Enquiry report Ex. MW-1/3 and application Ex. MW-1/4 was submitted by respondent for seeking approval and Industrial Tribunal granted approval vide Order Ex. M-1 and referred to finding of Presiding Officer, Industrial Tribunal, Faridabad where aspect enquiry being fair and proper was decided vide Order dated 24.11.1980 at page 5 of the Order it is held "In the instant case the workman concerned stood charges vide Ex. MW 4 for (1) for violence and disorderly behaviour during working hours. (ii) for acts subversive of discipline. The management held a domestic enquiry in which the workman concerned was given opportunity to participate so much so at the earlier stage the management changed the Enquiry Officer on the objection of the workman. Shri Kanwal Singh, retired Labour Officer-cum- Concilation Officer was appointed Enquiry Officer. He has proved to my satisfaction that he issued registered notices to the workman to participate in the enquiry. This workman was aware of the consequences of the charge sheet of which he had demanded Hindi version in his own hand vide Ex. M-7. The finding of Enquiry Officer has proved the charges and thus the management has fulfilled to establish a prima face case. As regards the other requisites the dismissal Order Ex. M-4 was passed by the Factory Manager in accordance with the Standing Orders on 16.03.1979. The present application was made on the same date and money Order Ex. M-5 for Rs.452.14 equal to one month's wages was made on the same date. All the requisites are thus complete. Therefore, I accept the application and grant approval as asked for. Parties be informed accordingly." and argued that matter stands clinched with above findings having become final between the parties and not disturbed by any Order of any Court till date.

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14. Now the question would be whether the fact of the workman abused Hardyal Singh Helper and beaten him and created seen and undermined the discipline in the factory, that the charges, as levelled the workman, were found to be duly proved by the Enquiry Officer should be taken lightly under the provisions of Section 11-A of the Industrial Disputes Act, 1947 or whether the punishment Awarded calls for any interference. On this aspect his Court is supported by another Judgment of 2003 LLR 922 relevant page 928 in para 26 in the case of The Workmen represented by Bihar Engineering Kamgar Union, Refugee Market Dhanbad Versus Presiding Officer, Labour Court Bakaro Steel City and another has held that "Gravity of justifying dismissal of workmen for committing serious misconduct of slow down of work, wilful insubordination habitual indiscipline and instigating other to indulge in slow down the work- No relief can be given to workmen."

15. In view of ratio of Judgments referred by Ld. Authorised Representative for the respondent above ratio of Judgment referred by Ld. Authorised Representative for the workman cannot be accepted.

16. In the light of fore going discussion, it is held that there is sufficient and cogent evidence, as led by the respondent-management on the record, to establish that the domestic enquiry, as conducted against the workman, was fair and proper and findings of Enquiry Officer are not perverse so as to call for interference on punishment so imposed by this Court. Resultantly, it is held that termination of services of workman is fully justified and in Order and calls for no interference by this Court. Resultantly, this issue is decided against the workman.

RELIEF:

17. As a sequel to my findings on the sole issue, as discussed in the preceding paragraphs, this reference is decided against the workman and an Award is passed accordingly. "

A perusal of the findings returned by the Tribunal below would

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manifest that the domestic enquiry conducted against the petitioner-workman has been held to be fair and proper. Learned counsel for the petitioner has been unable to dislodge the findings returned by the Tribunal below, holding the enquiry to be fair and proper. Apparently, the petitioner was chargesheeted for his act of indiscipline for which a domestic enquiry has been held, wherein, due opportunity was afforded to the petitioner to put forth his explanation, however, the petitioner did not participate in the said enquiry proceedings and he was proceeded against *ex-parte*.

19. As regards the *ex parte* enquiry proceedings are concerned, the Hon'ble Supreme Court in ***Lakshmi Devi Sugar Mills Ltd. v. Pt. Ram Sarup***, AIR 1957 Supreme Court 82 held that where a workman intentionally refuses to participate in the inquiry, cannot complain that the dismissal is against the principles of natural justice. It was held that once the enquiry proceed *ex parte*, it is not necessary for the Enquiring Authority to again ask the charged officer to state his defence orally or in writing. Court observed that it cannot appreciate the conduct of the charged officer in the case, who did not appear before the Enquiring Authority and offered any explanation to the charges leveled against him but approached the High Court stating that the principles of natural justice had been violated.

Furthermore, in ***Bank of India v. Apurba Kumar Saha***, 1994(1) S.C.T. 692 : (1994) 2 SCC 615, Hon'ble Supreme Court held :

“A bank employee who had refused to avail of the opportunities provided to him in a disciplinary proceeding of defending himself against the charges of misconduct involving his integrity and honesty, cannot be permitted to complain later that he had been denied a reasonable opportunity of defending himself of the charges levelled against him and the disciplinary proceeding conducted against him by the bank employer had

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resulted in violation of principles of natural justice of fair hearing.”

20. Once the petitioner had himself not participated in the inquiry proceedings; which have been otherwise held to be fair and proper; no interference is called for in that regard. It is therefore held that inquiry conducted against the petitioner is just, fair and proper.

21. As regards punishment of dismissal from service awarded to the petitioner by Management is concerned, it is observed that the petitioner was charged with acts of indiscipline by using abusive language and assault, which were found to be proved by the Enquiry Officer.

22. In ***Mahindra and Mahindra Ltd. v. N. B. Narawade, (2005) 3 SCC 134*** a case of verbal abuse, the Supreme Court has held as under:

"20. It is no doubt true that after introduction of Section 11-A in the Industrial Disputes Act, certain amount of discretion is vested with the Labour Court/Industrial Tribunal in interfering with the quantum of punishment awarded by the management where the workman concerned is found guilty of misconduct. The said area of discretion has been very well defined by the various judgments of this Court referred to herein above and it is certainly not unlimited as has been observed by the Division Bench of the High Court. The discretion which can be exercised under Section 11-A is available only on the existence of certain factors like punishment being disproportionate to the gravity of misconduct so as to disturb the conscience of the court, or the existence of any mitigating circumstances which require the reduction of the sentence, or the past conduct of the workman which may persuade the Labour Court to reduce the punishment. In the absence of any such factor existing, the Labour Court cannot by way of sympathy alone exercise the power under Section 11-A of the Act and reduce the punishment. As noticed herein above at least in two of the cases

cited before us i.e. Orissa Cement Ltd. v. Adikanda Sahu (1960) 1 LLJ 518 (SC) and New Shorrock Mills v. Maheshbhai T. Rao (1996) 6 SCC 590 this Court held: 'Punishment of dismissal for using of abusive language cannot be held to be disproportionate.' In this case all the forums below have held that the language used by the workman was filthy. We too are of the opinion that the language used by the workman is such that it cannot be tolerated by any civilised society. Use of such abusive language against a superior officer, that too not once but twice, in the presence of his subordinates cannot be termed to be an indiscipline calling for lesser punishment in the absence of any extenuating factor referred to herein above."

23. Furthermore, *In Hombe Gowda Educational Trust and another v. State of Karnataka and others,(2006) 1 SCC 430* while holding that a case of assault is an act of gross indiscipline entailing the punishment of dismissal, the Supreme Court had enunciated the law as under:

"13. The Tribunal's jurisdiction is akin to one under Section 11A of the Industrial Disputes Act. While exercising such discretionary jurisdiction, no doubt it is open to the Tribunal to substitute one punishment by another; but it is also trite that the Tribunal exercises a limited jurisdiction in this behalf. The jurisdiction to interfere with the quantum of punishment could be exercised only when, inter alia, it is found to be grossly disproportionate.

14. This Court repeatedly has laid down the law that such interference at the hands of the Tribunal should be inter alia on arriving at a finding that no reasonable person could inflict such punishment The Tribunal may furthermore exercises its jurisdiction when relevant facts are not taken into consideration by the Management which would have direct bearing on the question of quantum of punishment.

15. Assaulting a superior at a workplace amounts to an act of gross indiscipline. The Respondent is a teacher. Even under

grave provocation a teacher is not expected to abuse the head of the institution in a filthy language and assault him with a chappal. Punishment of dismissal from services, therefore, cannot be said to be wholly disproportionate so as to shock one's conscience.

16. *A person, when dismissed from services, is put to a great hardship but that would not mean that a grave misconduct should go unpunished. Although the doctrine of proportionality may be applicable in such matters, but a punishment of dismissal from service for such a misconduct cannot be said to be unheard of. Maintenance of discipline of an institution is equally important."*

24. In the case of **L. K. Verma v. H.M.T. Limited and another (2006) 2 SCC 269** a case of verbal abuse entailing the penalty of dismissal, the Supreme Court, inter alia, observed as under:

"20. So far as the contention as regards quantum of punishment is concerned, suffice it to say that verbal abuse has been held to be sufficient for inflicting a punishment of dismissal."

25. Keeping in view the acts of indiscipline by the petitioner as indicated above and considering the aforesaid legal position, the punishment of dismissal from service awarded to petitioner cannot be said to be shockingly disproportionate.

26. In view of the aforesaid facts and circumstances and also the legal position as laid down in the case of **P. Gunasekaran (supra)**, there is no scope for any interference by this Court in the impugned order dated 26.04.2011 (Annexure P-6) as well as impugned award dated 13.05.2011 (Annexure P-7). Resultantly the writ petition fails and the same is accordingly dismissed.

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27. All pending applications (if any) shall stand closed.

30.10.2023
Himani

(HARSH BUNGER)
JUDGE

- 1. Whether speaking/reasoned : Yes/No
- 2. Whether reportable : Yes/No