

CWP No.16047 of 2018 (O&M) [1]

2023:PHHC:058338

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

CWP No.16047 of 2018 (O&M)

Date of decision:25.04.2023

... Petitioner

Piroj Singh

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Pardeep Balyan, Advocate for
Mr. R.S.Malik, Advocate
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed seeking issuance of a writ in the nature *certiorari* for quashing the impugned order dated 02.11.2017 (Annexure P-6) passed by respondent No.3, vide which a major punishment has been imposed against the petitioner under Rule 7 of Haryana Civil Services (Punishment & Appeal) Rules, 1987 and recovery of Rs.5,44,950/- has been ordered to be made from him.

At the outset, State counsel has raised an objection that impugned order (Annexure P-6) is appealable and statutory remedy of appeal has been provided under Entry No.3 of Appendix C to Haryana State Forest Executive Section (Group C) Service Rules, 1998.

Faced with this objection, counsel for the petitioner seeks and is granted permission to withdraw the writ petition with liberty to take recourse to the alternative remedy. He has further made a request that he may be

permitted to file an appeal within a specified time, which may be ordered to be decided on merits.

His request has been examined.

Considering that impugned order (Annexure P-6) has been challenged by the petitioner in the present petition, which is pending since 2018, it is directed that in case petitioner files an appeal before the appellate authority within a period of 60 days from today, it shall not be dismissed on the ground of limitation.

Dismissed as withdrawn with liberty as aforesaid.

April 25, 2023
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No