



CWP-11680-2000 (O&M) 1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-11680-2000 (O&M)
Date of Decision :20.08.2024

Sukh Lal (since deceased) through LRs

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.K. Arora, Advocate with Mr. Jugam Arora, Advocate
for the petitioner.

Mr. T.P.S. Chawla, Senior DAG, Punjab
assisted by Mr. Harpal Singh, Clerk, O/o Director Medical
Education and Research.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner submits that order dated 26.06.2000 (Annexure P/17) passed by the appellate authority rejecting the appeal of the petitioner against the order of imposition of punishment dated 20.03.1998 is totally cryptic and non-speaking order as the same does not take into account all the pleas raised in the appeal hence, the said order is liable to be set aside keeping in view the judgment of this Court in **CWP-5177-2017 titled as Dr. Charanjit Singh vs. State of Punjab and others decided on 14.08.2024.**

Learned counsel for the respondent-State has not been able to rebut that the plea of the petitioner qua the appellate order dated 26.06.2000



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(Annexure P/17) is covered by the judgment of this Court in **Dr. Charanjit Singh (supra)**.

Keeping in view the above, appellate order dated 26.06.2000 (Annexure P/17) is set aside and the case is remanded back to the concerned appellate authority for fresh decision.

At this stage, learned counsel for the petitioner submits that certain facts have come into operation after the filing of the present petition and as the petitioner has already died during the pendency of the present petition hence, the legal representatives of the petitioner may kindly be allowed to file supplementary appeal, which should also be taken into account by the respondents while deciding the appeal against the punishment order dated 20.03.1998.

Learned counsel for the respondent-State submits that in case, any supplementary appeal is filed by the legal representatives of the petitioner within a period of 04 weeks from today, the same will also be taken into account while deciding the appeal against the punishment order dated 20.03.1998.

Let the appellate authority pass an appropriate fresh order on appeal within a period of four months from the date of receipt of copy of this order.

Present petition stands disposed of in above terms.

Civil miscellaneous application pending, if any, is also disposed of.

August 20, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No