

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(126)

CWP-4722-2024
Date of Decision : February 29, 2024

Jaswinder Singh

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sanjeev Sharma, Advocate, for the petitioner.
Mr. Harish Nain, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Present writ petition has been filed challenging the order dated 30.05.2023 (Annexure P-12) by which, the petitioner has been dismissed from service.
2. Learned counsel for the petitioner argues that the said order is totally arbitrary and illegal and without appreciating all the facts, he has been dismissed from service, which order dated 30.05.2023 (Annexure P-12) is liable to be set aside.
3. Notice of motion.
4. Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondents.
5. Learned counsel for the respondents submits that the impugned order dated 30.05.2023 (Annexure P-12) is an appealable order as the same has been passed by the punishing authority and without availing the remedy

of appeal, the present petition has been filed, which is not maintainable and it has wrongly been mentioned in paragraph 29 of the petition that no remedy of appeal or revision is available to the petitioner.

6. Faced with this situation, learned counsel for the petitioner submits that the present writ petition may kindly be disposed of having been not pressed any further with liberty to the petitioner to file an appeal, which the respondents be directed to decide on merits.

7. Learned counsel for the respondents submits that in case any appeal is preferred by the petitioner against the impugned order dated 30.05.2023 (Annexure P-12), the same will be decided on merits by passing an appropriate speaking order within a period of eight weeks of the receipt of any such appeal.

8. Learned counsel for the petitioner submits that keeping in view the statement of learned counsel for the respondents, the present writ petition may kindly be disposed of having been not pressed any further with liberty to the petitioner to file an appeal.

9. Ordered accordingly.

February 29, 2024

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No