

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

204

RSA-3693-1998 (O&M)
Date of Decision :12.02.2024

**Pepsu Road Transport Corporation, Patiala
and another**

...Appellants

Versus

Nachhattar Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Aman Sharma, Advocate for the appellants.

None for the respondent.

* * *

Harsimran Singh Sethi, J. (Oral)

1. Present regular second appeal was filed in the year 1998 against the judgement and decree of the Courts below by which, in the civil suit filed by the plaintiff-respondent, certain orders of punishment were set aside.

2. There was no interim order passed in the present appeal and the same is being taken up for consideration after a period of 26 years.

3. Learned counsel for the appellants concedes the factum that by this time, the respondent-plaintiff must have retired from service and he must have got his retiral benefits as well.

4. As per the facts and evidence which had come on record, the lower Appellate Court had recorded a finding that enquiry proceedings and even the report of the enquiry officer was not supported by any witness.

Once, before imposing punishment an enquiry was held and charges were

proved by the enquiry officer, without recording of evidence of any witness, the same is to be treated a case of no evidence.

5. Learned counsel for the appellants has not been able to rebut the findings recorded by the Courts below to be perverse to the evidence, which has come on record.

6. In the absence of any perversity being pointed out by the learned counsel for the appellants, the present regular second appeal is dismissed.

February 12, 2024
aarti

(HARSIMRAN SINGH SETHI)
JUDGE

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