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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(229)

CWP-12075-2019

Date of Decision : December 04, 2024

Balwinder Singh

.. Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Raj Kaushik, Advocate, for the petitioner.

Mr. T.P.S. Chawla, Sr. Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the challenge is to the order of punishment dated 09.03.2018/16.03.2018 (Annexure P-6).
2. The prayer of the petitioner is that the respondents be directed to decide his appeal dated 22.12.2015 (Annexure P-1), which has been jointly filed for setting aside the various orders which have been passed starting from the year 1999 till the year 2015.
3. The appeal is filed in the following format:

“ To

*The Principal Secretary,
Government of Punjab, Transport Department
Punjab, Chandigarh.
(Mini Secretariat)*

*Sub: Regarding restoration of the annual increments
which had been stopped in different embezzlement and other
cases.*



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Sir,

It is stated that at this time, I am working in Punjab Roadways Tarn Taran Depot as Conductor No.63. My date of birth is 25.4.1962 and the date of appointment is 25.4.1982. I am discharging my duties with complete honesty, dedication and with hard work. My following annual increments had been stopped with cumulative effect and without cumulative effect without conducting any departmental enquiry, which is completely injustice to me. My service is about 32 years. I am getting less salary due to which it becomes difficult to run the house smoothly.

S. No.	Increments stopped with cumulative effect	Increments without effect	stopped Order No. and date cumulative
1.	---	03	5799-5000 dt. 17.11.1999
2.		02	818-19 dt. 19.4.2000
3.	03	----	252-55 dt. 8.2.1999
4.	---	01	1964-66 dt. 28.10.2003
5.		01	805-07 dt. 27.3.2006
6.		01	2690-91 dt. 3.8.2006
7.		01	33209-10 dt. 9.11.2006
8.		01	33212-14 dt. 9.11.2006
9.		01	23566-68 dt. 28.8.2006
10.		01	4295-97 dt. 28.11.2006
11.		01	4299-4331 dt. 29.11.2006
12.	0	01	4915-17 dt. 14.2.2007
13.		01	8601-03 dt. 28.3.2007
14.		01	1556-61 dt. 4.8.2008
15.		01	23889-90 dt. 8.3.2008
16.		01	16293-95 dt. 18.8.2008
17.		01	6047-51 dt. 27.3.2015
18.	01 04	---- 20	21739-42 dt. 28.10.2015

Therefore, I once again request you that my above said increments have been stopped vide different orders without any departmental enquiry, which may kindly be restored so that the enhancement be made in my salary and I be able to take care of my family in well manner. I am a poor person and my children is studying in higher classes and I have no other source of income except the salary. Therefore, once again I request you to consider my case on sympathetic grounds and the increments stopped with cumulative effect and without cumulative effect be restored. I shall be highly thankful to you.

Your sincerely

Sd/- 22.12.2015
Balwinder Singh
Conductor No.63

Punjab Roadways, Tarn Taran”

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4. Learned counsel for the respondents submits that the orders of punishment were passed 20 years before the filing of the present petition hence, no appeal can be filed after the expiry of limitation as provided under the Punjab Civil Services (Punishment and Appeal) Rules, 1970.

5. In cannot be denied that the orders against which, the alleged appeal was filed, the limitation has already expired. Further, the only reason given is that the petitioner is in service for the last 32 years and he is getting lesser salary because of the punishment imposed. No reason has been given as to why the punishment imposed is arbitrary or illegal or when the appeal was not preferred against the punishment imposed within limitation prescribed under the Rules.

7. In the absence of any such ground coupled with the fact that limitation to file an appeal against the punishment had already expired, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

8. Accordingly, the writ petition is dismissed.

December 04, 2024
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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