



261 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-12089-2024

Date of Decision : 15-07-2024

HARMINDER SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Tahaf Bains, Advocate
for the petitioner.

Mr. Amarpreet Singh Bains, AAG Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioner submits that the question of law raised in the present petition has already been decided by the Co-ordinate Bench of this Court in CWP No.6678 of 2018 titled “*Surinder Kumar Sharma Vs State of Punjab and others*” decided on 07.02.2000, which judgment has been followed by this Court by passing order in CWP No.29487 of 2022 titled “*Amandeep Singh Vs. State of Punjab and others*” decided on 03.07.2024 and the present petition be also disposed of in terms of *Surinder Kumar Sharma (supra)* and *Amandeep Singh (supra)*.

Learned State counsel has not been able to differentiate the facts of the present case as, the impugned order has been passed by the Appellate Authority i.e. Secretary, which is being held to be bad by the Co-ordinate Bench while passing order in *Surinder Kumar Sharma (supra)*.

Keeping in view of the above, the impugned order of punishment is set aside with liberty to respondents to pass a fresh order in accordance with law.

Let the fresh order be passed within a period of 8 weeks from the receipt of certified copy of this order.

It is made clear that all the benefits admissible to the petitioner will depend upon the fresh order to be passed by the respondent.

Present petition is disposed of accordingly.

15-07-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking : YES/NO
Whether reportable : YES/NO