

CWP-9231-2017

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

CWP-9231-2017
Date of Decision: 15.01.2024

Subedar Anil Kumar Singh ...Petitioner

Versus

Union of India and others ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. P.K. Saran, Advocate and
Mr. Shantnu Singh, Advocate for the petitioner

Mr. Amit Arora, Senior Panel Counsel,
for Union of India-respondents

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of charge sheet dated 21.11.2015 (Annexure P-1) and order whereby punishment of severe reprimand has been awarded to the petitioner.
2. The order of punishment is not on record, however, both parties are *ad idem* that petitioner was awarded punishment of severe reprimand.
3. Learned counsel for the respondent submits that petitioner has been subjected to punishment in terms of Section 54 of the National Security Guard Act, 1986. As per Rule 42 of the National Security Guard Rules, 1987 (for short '**Rules**') the petitioner has remedy of appeal against the order of penalty imposed upon him.

4. Faced with this, learned counsel for the petitioner does not press the petition and submits that appellate authority i.e. Director General, National Security Guard, may be directed to consider and decide appeal of the petitioner on merits.

5. Learned counsel for the respondents does not oppose the aforesaid prayer of the petitioner.

6. In the wake of statements of both sides, the present petition stands disposed of with liberty to the petitioner to file appeal before Director General, National Security Guard. If the petitioner files appeal before Director General, National Security Guard within four weeks from today, the same shall be decided on merits within three months thereafter.

(JAGMOHAN BANSAL)
JUDGE

15.01.2024
Mohit Kumar

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