

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

(116)

LPA-2025-2023

Decided on : 08.04.2024

Harpreet Singh

.....Appellant(s)

Versus

State of Punjab & others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA,
ACTING CHIEF JUSTICE
HON'BLE MS.JUSTICE LAPITA BANERJI**

Present: Mr.Sameer Sachdeva, Advocate for the appellant (s).

Mr.Salil Sabhlok, Sr.DAG, Punjab.

G.S. Sandhawalia, Acting Chief Justice (Oral)

1. Consideration in the present appeal is to the judgment passed in CWP-25522-2023 which was dismissed on 05.12.2023 whereby the Learned Single Judge did not feel it justified to interfere with the discontinuation of the contractual service of the writ petitioner from 16.10.2019.

2. The Learned Single Judge noticed that the appellant was involved in an FIR registered under Section 7 of the Prevention of Corruption Act, 1988 on account of allegations of demanding bribe of Rs.10,000/- being levelled. It was in such circumstances, his services were dispensed with from the post of Assistant Program Officer. A perusal of the said order would go on to show that the appellant had been arrested on the charge of bribery and had been detained for more than 24 hours and therefore, the service contract was terminated by the Joint Development Commissioner-cum-Commissioner, MGNREGA on 16.10.2019 (Annexure P-3).

3. During the course of arguments, it transpires that the trial is pending before the Court concerned in FIR No.10 dated 11.10.2019 lodged at Police Station Vigilance Bureau, Bathinda. In such circumstances, keeping in view the nature of the job and clause 5 of the appointment letter dated 21.08.2009 (Annexure P-1) which provided that if the work was not found satisfactory, then the person could be removed from job without giving any notice and thus he was removed from service. Thus, we do not feel that the State authorities erred in any manner in dispensing with the services keeping in view the terms of the contract and in the present case, as noticed, the appellant had been arrested on the allegations of corruption.

4. In view of the above discussion, the present appeal is hereby dismissed. However, in case the appellant secures an honourable acquittal, he will be at liberty to file an application for consideration, keeping in view the length of service.

(G.S. SANDHAWALIA)
ACTING CHIEF JUSTICE

08.04.2024
Sailesh

(LAPITA BANERJI)
JUDGE

Whether speaking/reasoned :	Yes	
Whether Reportable :		No