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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-29515-2023 (O&M)

Date of Decision: 05.01.2024

Hoshiar Singh (now deceased) through his LR Amar Patti Devi

....Petitioner(s)

Versus

Haryana Ware Housing Corporation and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Ravinder, Advocate for
Mr. Nihal S. Choudhary, Advocate, for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of *Mandamus* to decide the revision application dated 21.06.2022 (Annexure P-13).

2. It has been submitted by the learned counsel for the petitioner that it is a case where the petitioner was dismissed from service after holding an inquiry and he was also facing criminal proceedings and thereafter even the petitioner was acquitted in the criminal proceedings. However, so far as the order of dismissal of service is concerned, he had filed a revision application before the Revisional Authority under the Rules to reconsider the order of punishment of dismissal and this revision application was filed vide Annexure P-13 on 21.06.2022 but the same has not been considered

and decided till date. He submitted that the action of the Revisional Authority in not deciding the revision application is not in accordance with law and a time frame work may be fixed by this Court in this regard. He also submitted that one other employee who was also facing the same disciplinary proceedings namely, Ram Chander had also filed a separate petition before this Court which was disposed of by a Co-ordinate Bench of this Court vide Annexure P-14 on 16.09.2022 vide which a direction was issued to the Revisional Authority to decide the revision within a period of 8 weeks. He submitted that the prayer in the present petition is identical with that of the prayer of the aforesaid petition which has been disposed of.

Notice of motion.

Mr. Samarth Sagar, learned Additional Advocate General, Haryana accepts on behalf of the respondents and states that it is correct that the case of the petitioner is similar to that of Annexure P-14.

I have heard the learned counsel for the parties.

The prayer of the petitioner to the extent that the revision application which has been filed by the petitioner vide Annexure P-13 has not been considered and decided till date despite the fact that it was filed on 21.06.2022. It is also the case of the petitioner that the case of the petitioner is identical with that of the other employee namely, Ram Chander who was also facing the same disciplinary proceedings and was also dismissed from service. Therefore, this Court is of the view that the present petition can also be disposed of by directing the Revisional Authority to consider and decide the revision application filed by the petitioner vide Annexure P-13 in accordance with law and within a period of two months from today.

Accordingly, respondent No.1 is directed to consider and decide the

revision application (Annexure P-13) filed by the petitioner in accordance with law and within a period of two months from today.

The present petition is disposed of accordingly.

05.01.2024

rakesh

Whether speaking : Yes/No

Whether reportable : Yes/No

(JASGURPREET SINGH PURI)

JUDGE