

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-919-2001 (O&M)
Date of Decision: 08.01.2024

DR. B.K. SINGAL*Petitioner*
V/s.
STATE OF PUNJAB AND OTHERS*Respondents*

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: None for the petitioner.

Mr. D.K. Singal, Addl. A.G., Punjab.

SANJEEV PRAKASH SHARMA, J. (Oral)

1. No one has put in appearance on behalf of the petitioner.
2. As this Writ Petition is of the year 2001, therefore, the same has been taken up today for final arguments.
3. The petitioner by way of this Writ Petition has challenged the order of punishment dated 21.02.1998 and the order dated 16.10.1998 (Annexure P-7) passed in his Appeal upholding the punishment of reducing 10% of his pension.
4. The charges leveled against the petitioner are of misusing of the Government vehicle and remaining absent from duty. A copy of the enquiry report, which indicted the petitioner of both the charges, was served upon the petitioner and after receiving his reply/objections, the disciplinary authority accepted the enquiry report and passed an order of punishment in terms of Rule 2.2 (b) of the Punjab Civil Services Rules Vol-II, Part-I imposing a punishment of reducing 10% of his pension.

5. The Review Petition preferred by the petitioner was also rejected.
6. It is also noticed that the petitioner was served with a notice on 08.02.1994 with regard to the proposed punishment. Thus, this Court finds that the principles and provisions of the Rules have been followed regarding conducting of the departmental enquiry against him.
7. The Public Service Commission has also given its opinion for stopping 10% cut in his pension.
8. The contention of the petitioner that the charges were not definite and not clear is found to be without any basis. In this regard, this Court finds that the charge sheet specifically mentions misuse of the Government vehicle by the petitioner and his absence from duty.
9. The scope of interference in the departmental enquiry is limited. Considering that the principles of natural justice have been followed by the respondents, and the petitioner admittedly was found absent from duty, no interference of this Court is warranted for in this Writ Petition.
10. The writ petition is, thus, found to be without merits and the same is dismissed as such.
11. All pending applications in this Writ Petition stand disposed of accordingly.

January 8, 2024
Ess Kay

[SANJEEV PRAKASH SHARMA]
JUDGE

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>