



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

RSA-651-2006 (O&M)
Reserved on: 15.10.2025
Date of decision: 15.12.2025
Uploaded on: . .2025

Pepsu Road Transport Corp.

..Appellant

Vs.

Narinderjit Singh

..Respondent

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. S.P. Garg, Advocate
for the appellant.

Mr. Vikas Singh, Advocate
for the respondent.

SUDEEPTI SHARMA, J. (Oral)

1. The challenge in the present regular second appeal is to judgment and decree dated 19.10.2005 passed by Additional District Judge, Patiala, whereby, appeal filed by the respondent against judgment and decree dated 05.05.2005 passed by Civil Judge (Jr. Division), Patiala was partly allowed.

2. Brief facts of the case are that respondent was working as driver under appellant. He was chargesheeted by General Manager, PEPSU Road Transport Corporation, Patiala vide chargesheet dated 07.06.2000. He filed reply to the same. Thereafter, inquiry officer was appointed who found respondent guilty and appellant passed order dated 15.01.2001. The respondent preferred appeal before Managing Director, PEPSU Road Transport Corporation, Patiala-II which was also dismissed on 03.11.2003 vide order No.1199 dated 04.11.2003. He filed civil suit challenging order

**RSA-651-2006 (O&M)****-2-**

dated 15.01.2001 and 03.11.2003 which was dismissed by Civil Judge (Jr. Division), Patiala vide judgment and decree dated 05.05.2005. He filed appeal against same which was partly accepted. Hence, the present regular second appeal.

3. Learned counsel for the appellant contends that punishing authority had rightly exercised his power while imposing punishment under Regulation 20 of Pepsu Road Transport Corporation (conditions of appointment and service Regulations) 1981. He further contends that learned First Appellate Court has wrongly partly allowed the appeal filed by the respondent and reversed the well-reasoned finding of learned Civil Judge (Jr. Division), Patiala. He, therefore, prays that the present regular second appeal be allowed.

4. He relies on judgment passed by Hon'ble Supreme Court titled as ***State of Punjab Vs. Surjit Singh Conductor, Law Finder Doc Id #21754*** in support of his contentions.

5. Per contra, learned counsel for the respondent contends that punishment of withholding of his suspension allowance over and above what had already been paid during suspension period was not part of show cause notice, therefore, the same could not be granted. He, therefore, prays that the present regular second appeal be dismissed.

6. I have heard learned counsels for the parties and perused the whole record of this case with their able assistance.

7. A perusal of the record shows that vide order dated 15.01.2001, one Annual Grade increment with cumulative effect of the respondent was stopped. The appeal filed by him was also dismissed vide order dated



03.11.2003 by Additional Managing Director, P.R.T.C..

8. The charges against the respondent were that on 27.05.2000 he halted the bus at Jalandhar while going from Patiala to Katra with the plea of brake failure, which on inspection was found to be in order and as such he caused loss of Rs.6,714/- to P.R.T.C.

9. Respondent has admitted his guilt before inquiry officer and gave in writing that he pleaded admission of guilt in respect of the allegations of charges leveled in chargesheet dated 07.06.2000 and the allegations leveled in chargesheet are true. Further, respondent in letter dated 28.09.2000 stated that he will accept the decision of G.M. in respect of punishment and do not want that any enquiry be conducted in respect of the allegations. He further submitted another letter in which he gave the statement that the statement given before the inquiry officer is without any pressure and he would not challenge the orders of punishing authority.

10. A perusal of the record shows that it is admitted fact of the respondent that he received chargesheet and filed reply to the same. And opportunity of personal hearing was also afforded to him before passing the order of punishment. There is nothing on record to show that before punishing, principles of natural justice were not followed rather respondent was afforded every opportunity including personal hearing before passing the order of punishment.

11. The civil suit filed by the respondent was dismissed vide judgment and decree dated 05.05.2005 passed by Civil Judge (Jr. Division), Patiala and the appeal filed against the same was partly accepted by Additional District Judge, Patiala vide judgment and decree dated

**RSA-651-2006 (O&M)****-4-**

19.10.2005 on the ground that punishment of stoppage of salary over and above what has already been paid during the suspension period could not be imposed since the same was not proposed in show cause notice.

12. The decision given by learned Additional District Judge, Patiala is against Regulation 20 of PRTC (conditions of payment and service) Regulation 1981 which specifically provides for punishment of withholding of wages for the suspension period and separate show cause notice is not required to be given for the same.

13. Hon'ble Supreme Court in ***State of Punjab Vs. Surjit Singh Conductor, Law Finder Doc Id #21754*** held that disciplinary authority is empowered to impose appropriate punishment. The Rule indicates withholding of payments of arrears of salary as one of the modes of punishment and the disciplinary authority has power to impose such punishment. In the present case, penalty of withholding of wages for suspension period is provided under Rule 20 (V) of PRTC (conditions of payment and service) Regulation 1981, therefore, separate show cause notice was not required to be issued for the same since it is one of the penalties provided under Rule 20 of PRTC (conditions of payment and service) Regulation 1981.

14. In view of the above, judgment and decree dated 19.10.2005 passed by Additional District Judge, Patiala is set aside. Judgment and decree dated 05.05.2005 passed by Civil Judge (Jr. Division), Patiala is upheld.

- 15. Accordingly, the present regular second appeal is allowed.
- 16. Pending application(s), if any, also stand disposed of.

15.12.2025
Saahil

(SUDEEPTI SHARMA)
JUDGE

Whether Speaking : Yes/No
Whether Reportable : Yes/No