



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

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RSA-2882-1994

Date of Decision : 27.01.2026

Pepsu Road Transport Corporation, Patiala and othersAppellants
Versus

Baljinder Singh (since deceased) through his LRs ...Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. Anil Kumar Sharma, Advocate with
Ms. Devyani Sharma, Advocate for the appellants.

Mr. Dayal Singh Gardia, Advocate
for the respondents.

NAMIT KUMAR, J. (ORAL)

1. The appellant has filed the instant appeal against the judgment and decree dated 22.08.1991, passed by learned Sub Judge Ist Class (A), Bathinda, whereby a suit for declaration filed by the respondent/plaintiff was allowed as also the judgment and decree dated 16.07.1994, passed by learned Additional District Judge, Bathinda, whereby an appeal filed by the appellants/defendants against judgment and decree dated 22.08.1991 has been dismissed.

2. Briefly stated, the respondent-Baljinder Singh (now deceased) was working as Conductor in P.R.T.C. and was issued a charge-sheet dated 20.12.1987. Thereafter, vide inquiry report dated 23.02.1988, charges were proved as the respondent admitted his guilt. In pursuance thereto, show cause notice, proposing punishment of removal from service, was issued to the respondent to which he submitted reply on 29.02.1988. The respondent was personally heard by the Punishing

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Authority and vide order dated 31.03.1988, punishment of removal of service was inflicted upon the respondent. Thereafter, the respondent filed an appeal dated 18.04.1988 against the order of removal before the Appellate Authority which was rejected on 25.11.1988. The said order was questioned by the respondent by filing a suit dated 24.12.1988 which was decreed, vide judgment and decree dated 22.08.1991, passed by learned Sub Judge Ist Class (A), Bathinda, in his favour mainly on the ground that while inflicting the punishment, previous punishments were taken into consideration and copy of the inquiry report was not supplied to the respondent/plaintiff. The said judgment and decree dated 22.08.1991 was challenged by the appellant-P.R.T.C. before the Appellate Court by filing an appeal which was dismissed, vide judgment and decree dated 16.07.1994, passed by learned Additional District Judge, Bathinda, against which the present regular second appeal has been preferred which was admitted vide order dated 20.03.1995 but without any stay. Thereafter, on an application filed by the appellant bearing No.CM-8656-C-2003 execution of the decree was stayed, vide order dated 28.07.2003, however, the same was vacated, vide order dated 03.02.2004. During the pendency of the present appeal, the respondent/plaintiff unfortunately died on 05.09.2000 and his LRs have been impleaded, vide order dated 31.10.2002.

3. It is not disputed by learned counsel for the parties that judgment/decrees passed by the Courts below have been executed and even satisfied as all the benefits accrued from the said judgments/decrees have been released to the LRs of the



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respondent/plaintiff. The order dated 09.10.2004 passed by the Executing Court reads thus :-

“In view of the statement made by the applicants the present execution application stands dismissed as withdrawn being fully satisfied. File be consigned to the Judicial Records Room.”

4. It is also brought to the notice of the Court that a son of the respondent/plaintiff has also been given appointment on compassionate grounds as has been recorded in the order dated 16.04.2024.
5. In this view of the matter, no further orders are necessitated in the present appeal as no recovery can be made from the LRs of the respondent/plaintiff (deceased employee) in view of the law laid down by this Court in *CWP No.4626 of 2019 titled as ‘Ex Naik Bhag Chand Vs. Director General of Police, CRPF and others’ decided on 14.02.2024.*
6. The instant petition is disposed of accordingly.

27.01.2026
Kothiyal

(NAMIT KUMAR)
JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No