

RSA-2042-2006 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-2042-2006 (O&M)

KIRPAL SINGH

..Appellant

Versus

STATE OF PUNJAB AND ORS.

..Respondents

Reserved on: 19.03.2026

Pronounced on : 27.03.2026

Uploaded on : 06.04.2026

Whether only the operative part of the judgment is pronounced?

NO

Whether full judgment is pronounced?

YES

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Arun Abrol, Advocate for the appellant.

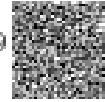
Mr. Animesh Sharma, Addl. A.G, Punjab.

SUDEEPTI SHARMA, J.

1. The present regular second appeal is preferred against judgment and decree dated 08.10.2004 passed by learned Additional Civil Judge (Senior Division), Gurdaspur, whereby civil suit filed by the appellant was dismissed and judgment and decree dated 14.11.2005 passed by learned Additional District Judge, Gurdaspur, whereby, appeal filed by the appellant against judgment and decree dated 08.10.2004 was also dismissed.

BRIEF FACTS OF THE CASE

2. Brief facts of the case as per the pleadings in the civil suit are that appellant was appointed in Punjab Police Force on permanent basis against permanent post. He was dismissed from service vide order dated 09.02.1998 on the allegations of remaining absent from duty. He filed



appeal, which was rejected, thereafter, he filed revision petition, which was also dismissed. He filed appeal-cum-mercy petition before the Government and the same was also rejected. Thereafter, he filed civil suit challenging order dated 09.02.1998, 20.05.1998, 15.09.1998 and 31.10.2000. The civil suit filed by him was dismissed vide judgment and decree dated 08.10.2004 passed by learned Additional Civil Judge (Senior Division), Gurdaspur. He filed appeal against judgment and decree dated 08.10.2004, which was also dismissed vide judgment and decree dated 14.11.2005 passed by learned Additional District Judge, Gurdaspur. Hence, the present Regular Second Appeal.

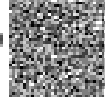
SUBMISSIONS OF LEARNED COUNSEL FOR THE PARTIES:-

3. Learned counsel for the appellant contends that both the Courts have failed to appreciate the oral as well as documentary evidence on record and have wrongly dismissed the civil suit as well as the appeal filed by the appellant.

4. He further contends that both the Courts have failed to appreciate the very fact that principles of natural justice were not followed while passing the impugned orders. He, therefore, prays that the present appeal be allowed.

5. Per contra, learned counsel for respondents contends that both the Courts have rightly appreciated the evidence on record and dismissed the civil suit as well as the appeal filed by the appellant. He, therefore prays that the present appeal be dismissed.

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



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7. A perusal of the record shows that appellant remained absent from duty from 30.05.1997 to 09.06.1997 and 25.05.1997 to 20.08.1997 without any intimation to the Department.

8. A perusal of the enquiry files shows that all the documents along with chargesheet, list of witnesses etc. were supplied to the appellant. All the witnesses were examined in the presence of appellant and he was granted full opportunity to cross-examine them but appellant never cross-examined the witnesses.

9. Further perusal of file shows that no reply was filed by the appellant to the show cause notice and full opportunity was granted to him before passing impugned orders. And there is nothing on record to show that principles of natural justice were not followed.

DECISION

10. In view of the above, I do not find any infirmity and illegality in judgement and decree dated 08.10.2004 passed by learned Additional Civil Judge (Senior Division), Gurdaspur and judgment and decree dated 14.11.2005 passed by learned Additional District Judge, Gurdaspur and the same are hereby affirmed.

11. Accordingly, the present appeal is **dismissed**. Parties are left to bear their own costs.

12. Decree sheet be drawn.

13. Pending application(s), if any, also stand disposed of.

27.03.2026

Gaurav Arora

(SUDEEPTI SHARMA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No