



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

202

CWP-24746-2016

Date of Decision: 13.02.2026

EX. EHC BALGANAND SINCE DECEASED THROUGH LRS

...Petitioner

Vs.

STATE OF HARYANA AND ORS.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Aditya Yadav, Advocate for the petitioner

Mr. Akshit Pathania, Assistant Advocate General, Haryana

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking setting aside of order dated 19.05.2016 (Annexure P-7) whereby he was awarded punishment of five increments with permanent effect.

2. Learned counsel for the petitioner submits that petitioner was dismissed from service vide common order dated 28.05.2009 along with Constable Attar Singh and Satyapal. They were implicated in criminal case. They were convicted by trial Court and their conviction was upheld by Appellate Court. They preferred criminal revision which came to be allowed by this Court vide judgment dated 02.12.2015. In view of judgment of acquittal, they approached respondent authorities seeking recalling of dismissal order. The respondent reverted co-accused to lower rank, however, awarded punishment of forfeiture of five increments to the petitioner. The petitioner was awarded punishment of forfeiture of five increments because he had already attained the age of superannuation

whereas co-accused were yet to retire. Co-accused-Satyapal preferred petition before this Court assailing order of reversion. The said petition was allowed vide judgment dated 23.04.2018. The State preferred Intra Court Appeal which was partly allowed vide order dated 14.10.2022 passed in *LPA-1653-2008* titled as '*State of Haryana and Ors. Vs. Satyapal @ Satpal*'. Satyapal was held not entitled to benefit of salary for the period he remained out of service, however, order of reversion was set aside. The petitioner may also be granted same benefit on the ground of parity.

3. Learned State counsel expressed his inability to controvert the fact that petitioner and Satyapal were dismissed from service by common order. They were subjected to same set of allegations. Satyapal preferred petition before this Court which was finally partially allowed. The punishment of reversion was set aside, however, back wages were denied to him.

4. This Court is bound by judgment dated 14.10.2022 passed by Division Bench of this Court in the case of *Satyapal (supra)*. It is undisputed that petitioner's claim is at par with Satyapal. On the ground of parity, his petition to the extent of stoppage of five increments deserves to be allowed. He does not deserve back wages.

5. Allowed in above terms with consequential benefits.

6. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

February 13, 2026
Deepak DPA

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No