



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

RSA-865-2008 (O&M)

Dharam Singh

.....Appellant

vs.

State of Haryana and others

.....Respondent

Date of Reserve: 16.03.2026

Date of Pronouncement: 02.04.2026

Uploaded on:- 07.04.2026

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. Ashwani Bakshi, Advocate
for the appellant.

Mr. Harish Nain, AAG, Haryana.

SUDEEPTI SHARMA J.

1. The present regular second appeal is preferred against judgment and decree dated 23.08.2007 passed by learned Addl. District Judge, Rewari whereby appeal filed by respondents-State against the judgment and decree dated 15.02.2005 passed by learned Civil Judge (Sr. Divn) Rewari, was allowed.

BRIEF FACTS OF THE CASE

2. Brief facts of the case as per civil suit are that appellant was inducted as Constable in Haryana Police. He was promoted from time to time and at the time of filing of civil suit, he was working as Sub Inspector. However, in October, 2000, DSP Kosli served upon appellant memorandum of allegations showing negligence of duty, misbehavior with senior and indiscipline. After enquiry, order

Dated 03.10.2000 was passed by Supdt of Police, Rewari without affording any



opportunity of defence to the appellant. Vide enquiry report dated 29.05.2001, the appellant was held guilty. Thereafter, show cause notice dated 08.06.2001 was issued to the appellant as to why 4 annual increments with permanent effect be not stopped. The appellant filed reply to the same and ultimately, penalty of stoppage of two future increments with permanent effect was imposed upon him. Feeling aggrieved, the appellant filed departmental appeal, which was rejected. He then preferred revision petition, which was also rejected. He made certain requests to the department for the same as well.

3. Thereafter, appellant filed civil suit challenging the penalty order whereby his two future increments with permanent effect were stopped. The civil suit filed by him was decreed in his favour, vide judgment and decree dated 15.02.2005 passed by learned Civil Judge (Sr. Divn) Rewari. However, the respondents/State filed appeal against the same, which was allowed, vide judgment and decree dated 23.08.2007 passed by learned Addl. District Judge, Rewari. Hence, the present Regular second appeal.

SUBMISSIONS OF LEARNED COUNSEL FOR THE PARTIES

4. Learned counsel for the appellants contends that the learned First Appellate Court has wrongly set aside the well reasoned judgment and decree dated 15.02.2005 passed by learned Civil Judge (Sr. Divn) Rewari. He, therefore, prays that the present Regular second appeal be allowed.

5. To give support to its contentions, he has relied upon judgments of Hon'ble the Supreme Court of India in cases of ***Bank of India vs. Degala Shryanarayana, 1999 (3) SCT 669 and Kumaon Mandal Vikas Nigam Ltd vs. Girja Shankar Pant, 2001 (1) SCT 607.***

6. Per contra, learned counsel for the respondents contends that learned Addl. District Judge, Rewari has rightly allowed the appeal filed by them, vide



judgment and decree dated 23.08.2007. He, therefore, prays that the present Regular second appeal be dismissed.

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

8. A perusal of the record shows that admittedly appellant was serving in the Police Department at a responsible post i.e Sub Inspector. He was duty bound to obey the orders of his superiors for maintenance of law and order. The order whereby the penalty of stoppage of two future increments with permanent effect was imposed, was passed after following the principles of natural justice and in accordance with law and that too after conducting regular domestic enquiry.

9. Further, Laxman Dass, retired DSP who was examined as DW1 shows stated that despite orders of DSP through (VT) to reach the spot, he was 5 minutes late. Further, on asking he misbehaved with DSP in arrogant manner and stated that whatever he wants to do, he should do and the DSP was not required to say anything to him. This kind of misbehaviour is not expected from a subordinate.

10. A bare reading of judgment and decree dated 23.08.2007 passed by learned Addl. District Judge, Rewari shows that he has categorically dealt with all the issues and passed a well reasoned judgment.

11. Further the judgments cited by learned counsel for the appellants would not be applicable to the facts of the present case.

CONCLUSION

12. In view of the above, I do not find any infirmity in the judgment and decree dated 23.08.2007 passed by learned Addl. District Judge, Rewari and the same is affirmed.

13. Accordingly, the regular second appeal is dismissed



- 14. Parties are left to bear their own costs. Decree sheet be prepared accordingly.
- 15. Pending application (s) if any also stands disposed of.

(SUDEEPTI SHARMA)
JUDGE

02.04.2026
Gaurav Arora

Whether speaking/reasoned : Yes
Whether reportable : Yes