

Pran Mehta

....Petitioner

Versus

Karnesh Sharma and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. R.K. Arora, Advocate, for the petitioner.

Mr. Balbir Singh Sewak, Additional Advocate General, Punjab.

Mr. H.K. Aurora, Advocate, for respondent No.2.

NIRMALJIT KAUR, J. (ORAL)

The present contempt petition has been filed for non-compliance of the order dated 15.9.2017. As per the said order, the disciplinary authority was directed to take appropriate decision in the matter in the time bound manner in accordance with law so that the case of the petitioner for extension in service could be considered in the light of the judgment passed in LPA No.776 of 2015 titled as Ashok Arora vs. State of Punjab and others decided on 20.5.2015.

Reply has been filed. As per the said reply, the Commissioner, Municipal Corporation, Jalandhar after considering has passed a speaking order dated 25.1.2018, whereby the Director, State Transport Department, Punjab, with whom the present petitioner was working, has been asked for conducting enquiry of the charge sheet against the petitioner at their own level for the alleged loss of ₹ 20,055/- caused to the Transport Department, whereas short reply by way of affidavit of the Special Secretary to Government of Punjab, Department of Transport stands already filed in

CWP No.7501 of 2016,wherein the Municipal Corporation, Jalandhar had specifically stated that charge sheet by the Municipal Corporation for committing irregularities during the construction work at Administrative Block at Punjab Roadways Patti was issued by Municipal Corporation, Jalandhar, which was to be decided by the said authority at their own level and the Department of Transport had nothing to do with the matter. It is therefore, apparent that neither of the two Departments want to decide the charge sheet and the petitioner is suffering on account of some charge sheet pending against him in which neither of the departments are interested in pursuing the same. The petitioner is being unnecessarily made to suffer as till date neither extension has been granted nor his pensionary benefits have been released.

Accordingly, the contempt petition is disposed of with a direction to the respondents to consider the claim of the petitioner for the grant of extension in service as well as for the necessary release of the pension. The decision be taken within one month from today.

Rule issued to the respondents stands discharged.

(NIRMALJIT KAUR)
JUDGE

9.1.2019
sharmila

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