

**RSA-176-2016****IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH****RSA-176-2016 (O&M)****Date of Decision: 31.07.2025**

Jagdish

.....Appellant

vs.

State of Haryana and ors.

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMAPresent: Mr. Sandeep Kumar Yadav, Advocate
for the appellant.

Mr. Manish Dadwal, AAG, Haryana

SUDEEPTI SHARMA J.

1. The present regular second appeal is preferred against the judgment and decree dated 18.09.2014 passed by learned Civil Judge (Jr. Divn.), Narnaul whereby the civil suit filed by the appellant was dismissed and the judgment and decree dated 28.08.2015 whereby the appeal filed by the appellant before learned Addl. District Judge, Narnaul against the judgment and decree dated 18.09.2014 passed by learned Civil Judge (Jr. Divn.), Narnaul, was dismissed.

2. Brief facts of the case are that the appellant joined Haryana Police as Constable and with the passage of time, he was promoted to the post of Assistant Sub Inspector. In the month of November, 2009, a departmental inquiry was conducted against the appellant at the behest of the erstwhile Superintendent of Police, Narnaul for the allegations of derelictions of his duties in connection with an application dated 05.11.2009 by one Manohar Lal son of Sultan Singh. After conducting inquiry, vide orders dated 07.05.2010 and 22.03.2012, punishment was imposed upon the appellant. He challenged the

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same by filing civil suit before learned Civil Judge (Jr. Divn.), Narnaul, who dismissed the same vide its judgment and decree dated 18.09.2014. Thereafter, he filed appeal before learned Addl. District Judge, Narnaul against the judgment and decree dated 18.09.2014 passed by learned Civil Judge (Jr. Divn.), Narnaul, which was also dismissed. Hence, the present regular appeal.

3. Learned counsel for the appellant contends that both the Courts failed to appreciate the evidence on record while deciding the civil suit and while dismissing the appeal filed by the appellant. Further, both the Courts did not take into consideration the very fact that while passing the impugned orders, principles of natural justice were not followed. He, therefore, prays that the present appeal be allowed.

4. Per contra, learned counsel for the respondents argues on the lines of judgment and decree dated 18.09.2014 passed by learned Civil Judge (Jr. Divn.), Narnaul and judgment and decree dated 28.08.2015 passed by learned Addl. District Judge, Narnaul. He, therefore, prays that the present appeal be dismissed.

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

6. A perusal of the record shows that the appellant was issued show cause notice dated 05.04.2010, which is Exhibit P5 containing the full facts about dereliction of duties committed by the appellant for taking prompt legal action on the complaint moved by one Manohar Lal in the month of November, 2009. He was given show cause notice calling for explanation as to why punishment of dismissal from service be not inflicted upon him.

7. A perusal of the record further shows that principles of natural justice were followed, since the appellant was granted full opportunity of hearing by the Inquiry Officer, during inquiry proceedings to cross examine all the

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witnesses. Further he was granted full opportunity to adduce his evidence in defence. As per record, while conducting disciplinary proceedings, principles of natural justice have been followed. Rather Ex P4 reflects that while passing the order in revision, Director General of Police had mitigated harshness of penalty by awarding punishment only of stoppage of two further annual grade increments with permanent effect.

8. Therefore, there is nothing on record to show that principles of natural justice were not followed and the civil suit filed by the appellant has rightly been dismissed by learned Civil Judge (Jr. Divn.), Narnaul, vide its judgment and decree dated 18.09.2014, which was upheld by learned Addl. District Judge, Narnaul by dismissing the appeal filed by the appellant, vide its judgment and decree dated 28.08.2015.

9. In view of the above, I do not find any infirmity in the judgment and decree dated 18.09.2014 passed by learned Civil Judge (Jr. Divn.), Narnaul which is upheld by learned Addl. District Judge, Narnaul, vide judgment and decree dated 28.08.2015. Accordingly, the present regular second appeal is dismissed.

10. Parties are left to bear their own costs. Decree sheet be prepared accordingly.

11. Pending application (s) if any also stands disposed of.

(SUDEEPTI SHARMA)
JUDGE

July 31, 2025
Gaurav Arora

Whether speaking/reasoned : Yes
Whether reportable : Yes