



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

119+120

Date of decision: 29.09.2025

1. CWP-28987-2025 (O&M)

Jagdev Singh

....Petitioner

Versus

Pepsu Road Transport Corporation and others

....Respondents

2. CWP-29033-2025 (O&M)

Prem Pal

....Petitioner

Versus

Pepsu Road Transport Corporation and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Vikas Chatrath, Advocate
with Ms. Preet Agroa, Advocate
Ms. Priya Kaushik, Advocate
and Ms. Haridhi Aggarwal, Advocate
for the petitioner(s) in both the cases.

Mr. Anupam Singla, Advocate
for the respondents in both the cases.

HARPREET SINGH BRAR J. (Oral)

1. Vide this common order, I intend to dispose of CWP Nos.28987 and 29033 of 2025, as common questions of law and facts are involved for adjudication. For the sake of convenience, facts are taken from CWP-28987-2025.



2. Prayer in writ petition (CWP-28987-2025) filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *certiorari*, for quashing the impugned chargesheet dated 14.12.2018 (Annexure P-6), impugned enquiry report (Annexure P-7), and the punishment order dated 07.02.2023 (Annexure P-10). Further prayer has been made to stay the operation of the impugned chargesheet dated 14.12.2018 (Annexure P-6), impugned enquiry proceedings (Annexure P-9), along with impugned punishment order dated 07.02.2023 (Annexure P-10) as well as further recovery from the petitioner during the pendency of the writ petition or alternatively till his statutory appeal dated 16.03.2023 (Annexure P-11) which is pending more than 2 years against the impugned punishment order dated 07.02.2023 (Annexure P-10). Further a writ of *mandamus* has been sought, directing the respondents to decide the statutory appeal dated 16.03.2023 (Annexure P-11) filed by the petitioner against the punishment order dated 07.02.2023 (Annexure P-10) and to release the interest on the delayed payment of gratuity and recovery effected from the petitioner.

3. Learned counsel for the petitioner, *inter alia*, contends that the charge-sheet was issued to the petitioner on 14.12.2018 (Annexure P-6) and after culmination of the enquiry, the punishment order was passed on 07.02.2023 (Annexure P-10). The petitioner has filed the statutory appeal dated 16.03.2023 (Annexure P-11) against the said punishment order dated 07.02.2023 (Annexure P-10) and till date, more



than 2½ years have passed, however, the statutory appeal of the petitioner has not yet been decided. He further submits that it is a trite law that the disciplinary proceedings are required to be conducted in consonance with the principles of fairness enshrined under Article 21 of the Constitution of India. The failure of respondent/Corporation in deciding the statutory appeal within a reasonable time had caused great prejudice to the petitioner. Further the impugned order of recovery has not been stayed during the pendency of the statutory appeal. Learned counsel for the petitioner further submits that the petitioner apprehends that the case law relied upon by him and the grounds taken in the appeal would not be considered which would amount to denial of fair opportunity to the petitioner and thus, the right of the petitioner to defend himself would be infringed.

4. Notice of motion.

5. Mr. Anupam Singla, Advocate, accepts notice on behalf of respondents and submits that although the applicable regulations do not prescribe any outer time limit for the disposal of the statutory appeal, it cannot remain pending indefinitely and is required to be decided within a reasonable period.

6. Learned counsel for the petitioner submits that at this stage, he will be satisfied if a direction is issued to respondent/Appellate Authority to decide the statutory appeal dated 16.03.2023 (Annexure P-11) by passing a speaking order in a time bound manner and further direct the respondent/Appellate Authority to consider the case law and



the written submissions which would be submitted by the petitioner within a period of two weeks from today. He further prays that till final disposal of the aforesaid statutory appeal, recovery proceedings may be stayed.

7. In view of the limited prayer made by learned counsel for the petitioner, without commenting upon merits of the case, both the petitions are disposed of and respondent/Appellate Authority is directed to hear and decide the statutory appeal dated 16.03.2023 (Annexure P-11) in a time bound manner and pass a speaking order, after affording an adequate opportunity to the petitioner and also consider his written submissions in support of his appeal, within a period of three months from the date of receipt of certified copy of this order.

8. Till decision of the statutory appeal filed by the petitioner, recovery proceedings shall remain stayed.

9. Pending miscellaneous application, if any, also stands disposed of.

10. A photocopy of this order be placed on the file of other connected case.

(HARPREET SINGH BRAR)
JUDGE

29.09.2025

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No