

(2011) 05 SHI CK 0104
In the High Court Of Himachal Pradesh
Case No : C.W.P. (T) No. 16165 of 2008

Baldev Chand

APPELLANT

Vs

H.P. State Electricity Board

RESPONDENT

Date of Decision : 05-05-2011

Acts Referred:

Central Civil Services (Classification, Control and Appeal) Rules, 1965 — Rule 14

Citation : (2011) 05 SHI CK 0104

Hon'ble Judges : Rajiv Sharma, J

Bench : Single Bench

Judgement

Rajiv Sharma, J.—Disciplinary proceedings were initiated against the Petitioner under Rule-14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965. The inquiry officer was appointed. He submitted the report to the disciplinary authority. The disciplinary authority, on the basis of the report submitted by the inquiry officer, has imposed the penalty upon the Petitioner vide order dated 25.10.2007 (Annexure A-4), whereby three increments of the Petitioner with cumulative effect were withheld. Needless to add that withholding of increments with cumulative effect is a major penalty. However, the Petitioner has not filed an appeal against the order dated 25.10.2007 (Annexure A-4).

2. Consequently, the petition is disposed of with a direction to the Petitioner to file an appeal against the order dated 25.10.2007 before the competent authority within a period of three weeks from today. Thereafter, the same shall be decided by the competent authority in accordance with law after taking into consideration the grounds/pleas taken in the memorandum of appeal by passing a speaking/detailed order, after hearing the Petitioner, within a period of eight weeks from the date of production of a certified copy of this judgment. The appellate authority shall also take into consideration that if the period of withholding of three increments is over, the case of Petitioner shall also be considered for promotion with all consequential benefits. No costs.