
(2026) 02 P&H CK 1805

In the Punjab And Haryana At Chandigarh

Case No : Civil Writ Petition No. 24746 Of 2016

Ex. Ehc Balganand Since Deceased Through Lrs

APPELLANT

Vs

State Of Haryana And Ors

RESPONDENT

Date of Decision : 13-02-2026

Acts Referred:

Constitution Of India, 1950 — Article 226, 227

Citation : (2026) 02 P&H CK 1805

Hon'ble Judges : Jagmohan Bansal, J

Bench : Single Bench

Advocate : Aditya Yadav, Akshit Pathania

Final Decision : Allowed

Judgement

Jagmohan Bansal, J

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking setting aside of order dated 19.05.2016 (Annexure P-7) whereby he was awarded punishment of five increments with permanent effect.

2. Learned counsel for the petitioner submits that petitioner was dismissed from service vide common order dated 28.05.2009 along with Constable Attar Singh and Satyapal. They were implicated in criminal case. They were convicted by trial Court and their conviction was upheld by Appellate Court. They preferred criminal revision which came to be allowed by this Court vide judgment dated 02.12.2015. In view of judgment of acquittal, they approached respondent authorities seeking recalling of dismissal order. The respondent reverted co-accused to lower rank, however, awarded punishment of forfeiture of five increments to the petitioner. The petitioner was awarded punishment of forfeiture of five increments because he had already attained the age of superannuation whereas co-accused were yet to retire. Co-accused-Satyapal preferred petition before this Court assailing order of reversion. The said petition was allowed vide

judgment dated 23.04.2018. The State preferred Intra Court Appeal which was partly allowed vide order dated 14.10.2022 passed in LPA-1653-2008 titled as 'State of Haryana and Ors. Vs. Satyapal @ Satpal'. Satyapal was held not entitled to benefit of salary for the period he remained out of service, however, order of reversion was set aside. The petitioner may also be granted same benefit on the ground of parity.

3. Learned State counsel expressed his inability to controvert the fact that petitioner and Satyapal were dismissed from service by common order. They were subjected to same set of allegations. Satyapal preferred petition before this Court which was finally partially allowed. The punishment of reversion was set aside, however, back wages were denied to him.

4. This Court is bound by judgment dated 14.10.2022 passed by Division Bench of this Court in the case of Satyapal (supra). It is undisputed that petitioner's claim is at par with Satyapal. On the ground of parity, his petition to the extent of stoppage of five increments deserves to be allowed. He does not deserve back wages.

5. Allowed in above terms with consequential benefits.

6. Pending application(s), if any, stands disposed of.