

**(1992) 10 SC CK 0074**

**In the Supreme Court Of India**

**Case No : Civil Appeal No. 187 Of 1988**

Mohinder Singh

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

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**Date of Decision : 21-10-1992**

**Acts Referred:**

**Citation : (1995) 4 SCC 432 Supp**

**Hon'ble Judges : S. Ranganathan, J; N. P. Singh, J**

**Bench : Division Bench**

**Final Decision : Disposed Of**

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## **Judgement**

1. WE have heard both the learned counsel. The High court held on the strength of the division bench decision in Sarwan Singh v. State of Punjab that stopping of increments with cumulative effect was a minor penalty and disposed of second appeal on that ground.

2. IT has been brought to our notice that in a recent judgment in the case of Kulwant Singh Gill v. State of Punjab, this court has taken a different view and overruled the decision in Sarwan Singh case. Consequently, the punishment sought to be imposed on the petitioner was not a minor penalty but a major one, and an enquiry should have been held in terms of Regulations 8 and 9 of the Punjab Civil Services Rules. In the circumstances, we set aside the order of the High court and remand the matter to the High court for being disposed of afresh in the light of this court's decision. We have no doubt that as the matter is an old one, the High court will dispose of the matter as expeditiously as possible. The appeal is disposed of accordingly. There will be no order as to costs.