
(2001) 02 P&H CK 0136

High Court Of Punjab And Haryana At Chandigarh

Case No: Regular Second Appeal No. 4641 of 1999

State of Punjab

APPELLANT

Vs

Hari Singh ASI Punjab Police

RESPONDENT

Date of Decision: Feb. 12, 2001

Acts Referred:

- Constitution of India, 1950 - Article 311
- Punjab Courts Act, 1918 - Section 41

Hon'ble Judges: V.K. Jhanji, J

Bench: Single Bench

Advocate: Mr. S.K. Bhanot, Dy. AG, for the Appellant; Mr. S.C. Chhabra, for the Respondent

Final Decision: Dismissed

Judgement

This Judgment has been overruled by : [State of Punjab and Another Vs. Hari Singh](#), (2008) 117 FLR 195 : (2008) 3 JT 415 : (2008) 3 SCALE 170 : (2008) 11 SCC 85 : (2008) 2 SCC(L&S) 1107

V.K. Jhanji, J.

Both the Courts below have found that the plaintiff was promoted as A.S.I. vide order passed by the Deputy Inspector General of Police. In the case of the plaintiff, order of punishment has been passed by the Senior Superintendent of Police. He being an Authority subordinate to the Appointing Authority, the Courts below have not committed any illegality in decreeing the suit of the plaintiff.

2. Consequently, no case for interference in second appeal is made put. Dismissed.

3. However, appellants are at liberty to proceed against the plaintiff in accordance with law.

4. Appeal dismissed.