

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.20779-2013 (O&M)

Date of Decision: 27.08.2015

DAYANAND HOODA

....Petitioner.

VERSUS

STATE OF HARYANA & ANR

....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. R.K Malik, Sr. Advocate, with
Mr. Kuldeep Sheoran, Advocate,
for the petitioner.

Mr. Sourabh Mohunta, DAG, Haryana.

P.B BAJANTHRI, J. (Oral)

C.M No. 2700-CWP-2015

Application is allowed. Replication to the written statement
filed by respondents No. 1 and 2 is taken on record.

Application stands disposed of accordingly.

CWP No. 20779 of 2013

The present petition has been filed for issuance of a writ in the
nature of mandamus, directing the respondents to release pension and
commutation of pension.

The petitioner is a retired Principal from Government Industrial
Training Institute Bahadurgarh. He attained the age of superannuation and
retired from service on 31.12.2012. In this petition, he has sought for release
of pension along with interest.

During pendency of this petition in a departmental inquiry he
was punished with 50 % cut in pension on 12.12.2013. Having aggrieved by
the punishment order dated 12.12.2013, he preferred a writ petition No.949-

2014 before this Court, which was allowed. The penalty was set aside and further direction has been given to proceed from the stage of receipt of report of the inquiry officer as per law.

The respondents are now required to issue necessary show cause notice and other opportunity to the petitioner in accordance with law, before passing final order in disciplinary proceedings. Such order shall be passed by the concerned respondent within a period of **two months** from today. If the petitioner is exonerated in the disciplinary proceedings then he is entitled for interest on pensionary benefits which have been settled belated/balance retiral benefits, if any. Further depending upon the order to be passed in the disciplinary proceedings, the earlier pension is to be paid to the petitioner at the earliest.

The writ petition is, accordingly, disposed of.

27.08.2015

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(P.B BAJANTHRI)
JUDGE