

In the High Court of Punjab and Haryana at Chandigarh

C.W.P. No. 2837 of 2015
Date of Decision: February 19, 2015

J.P. Goyal

.... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH

Present: Mr. Vinod Gupta, Advocate,
for the petitioner.

Paramjeet Singh, J. (Oral)

Instant writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to release the retiral benefits to the petitioner with interest @ 18% per annum from the date of retirement.

I have heard learned counsel for the petitioner and perused the record.

Admittedly, the petitioner was served with a charge-sheet (Annexure P/2) and an enquiry was conducted against the petitioner vide Annexure P/4. Thereafter, the petitioner was afforded opportunity of personal hearing twice vide letters dated 14.10.2014 (Annexure P/6) and dated 18.12.2014 (Annexure P/8). It is alleged by the petitioner that till date, no order has been passed and only personal hearing has been afforded to the petitioner. Since there is no order passed by the competent

authority, the same can also be challenged in accordance with law including filing of an appeal against the order, if any is passed by competent authority, as such, instant writ petition is pre-mature.

In view of above, instant writ petition is dismissed as pre-mature. However, it is made clear that authority should take a decision on enquiry report, within a reasonable time preferably within a period of three months from the date of receipt of certified copy of this order.

February 19, 2015
vkd

[Paramjeet Singh]
Judge