

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CWP No.579 of 2015

Date of decision: 14.1.2015

Darshan Lal Garg

... Petitioner

versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.V.K.Shukla, Advocate,
for the petitioner.

...

AMOL RATTAN SINGH, J. (Oral)

Learned counsel for the petitioner submits that the petitioner was not released his service and retirement benefits after an order for reversion from the post of Executive Engineer to the post of Sub Divisional Engineer, and for recovery of Rs.5,41,000/-, was passed against him. Against the said order, the petitioner filed an appeal, which was allowed by revoking the reversion and waiving off the balance amount as was to be recovered from him, and the punishment was reduced to a simple warning.

He further submits that though the criminal proceedings initiated against the petitioner and his co-accused also resulted in his conviction, along with his co-accused; however, in appeal, the order of conviction by the trial court was set aside and the petitioner and his co-accused were, both, acquitted of the charges levelled against them, vide a judgment of this court, dated 23.1.2014, passed in Crl.Appeal Nos.S-2330-SB of 2003 and S-2358-SB of 2003.

Despite that, the service and retirement benefits, as are due to

the petitioner, have not been released to him.

For claiming the said relief, a legal notice is stated to have been served on behalf of the petitioner, upon the respondents, on 30.11.2014, a copy of which has been annexed as Annexure P-8 with the petition.

This petition is, consequently, disposed of with a direction to the competent authority amongst the respondents, to take a decision on the aforesaid legal notice, by passing a speaking order, within a period of two months from the date of receipt of a certified copy of this order.

In case the relief sought in this petition, or any part thereof, is found due, the same shall be released to the petitioner within a period of two months thereafter.

If, for any legally valid reasons, the relief sought by the petitioner, or any part thereof, is not found due, detailed reasons for the same shall be given in the speaking order to be passed.

14.1.2015
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(AMOL RATTAN SINGH)
JUDGE