

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**Civil Writ Petition No. 1377 of 2012 (O&M)
Date of Decision: 08.07.2016**

Jaswant Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Jasdeep Singh Gill, Advocate
for the petitioner.

Mr. Harkesh Manuja, Addl. A.G., Punjab.

JASWANT SINGH, J. (ORAL)

The petitioner was reverted to the rank of Block Development and Panchayat Officer (in short 'BDPO') on conclusion of the disciplinary proceedings vide order dated 29.09.2008 before reaching the age of superannuation on 31.10.2008. Accordingly, his retiral benefits were released in the rank of BDPO.

On the same set of allegations forming part of the disciplinary proceedings, an FIR No. 46, dated 22.11.2004 was lodged by the Vigilance Bureau, Jalandhar, under Sections 219, 409, 420, 465, 467, 471, 477, 120-B of the Indian Penal Code and Sections 13 (1) and 13 (2) of the Prevention of Corruption Act, concededly charges were framed on 12.02.2013 in the criminal trial and as on today, a Criminal Revision No. 860 of 2013 against the criminal proceedings is pending adjudication before this Court.

Prayer in the present petition under Article 226 of the

Constitution of India was for release of retiral benefits.

Upon notice, a reply has been filed, wherein it is submitted that except commutation of pension and release of gratuity, rest of the benefits have since been released. Due to the pendency of the criminal trial, the amount of gratuity and the benefit of commutation of pension has been justifiably withheld.

Learned counsel for the respondent-State states that on the conclusion of the criminal proceedings, the amounts due would be duly released.

In the light of aforesaid circumstances, learned counsel for the petitioner very graciously agrees that no further adjudication is required in the present petition at this stage.

In view of above, the present petition stands dismissed as infructuous.

July 08, 2016

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**(JASWANT SINGH)
JUDGE**