

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

CWP No. 10262 of 2014

Date of Decision: 05.12.2016

NIRMAL SINGH DUGGAL

... Petitioner

VS.

PUNJAB AGRICULTURAL UNIVERSITY, LUDHIANA AND OTHERS.

..Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Sharwan Sehgal, Advocate,
for the petitioner.

Mr. M.L. Saggat, Senior Advocate, with
Mr. Rohit Joshi, Advocate,
for the respondents.

KULDIP SINGH, J. (Oral)

The petitioner has preferred this writ petition filed under Articles 226/227 of the Constitution of India praying for the issuance of a writ of Mandamus/Certiorari for quashing the orders dated 03.01.2014 and 18.02.2014 (Annexure P-5 and P-7) passed by the respondent No. 4 and respondent No. 1 respectively vide which the retiral benefits of the petitioner were denied to the petitioner on the ground that the petitioner has not handed over the complete charge and for directing the respondents to pay to the petitioner all retiral benefits alongwith interest.

Brief facts of this case are that the petitioner who was working as a Store Keeper in the Punjab Agricultural University, Ludhiana took earned leave for the period w.e.f. 04.12.2006 to 26.12.2006. During this period, he met with an accident and remained on leave till 21.02.2007. On 22.02.2007, he

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joined the services for a brief period of 7 days prior to the date of his retirement i.e. 28.02.2007. Now, the petitioner is aggrieved of the fact that the respondents are not releasing his retiral dues on the ground that the petitioner has not handed over the complete charge of the store to the respondents before his retirement.

After arguing for sometime, learned counsel for the petitioner prays for withdrawal of the present writ petition with liberty to file a civil suit before the civil Court as some disputed questions of facts are involved in the present case which are required to be established in a regular civil suit.

Ordered accordingly with aforementioned liberty.

December 5, 2016

Suresh Kumar

**[KULDIP SINGH]
JUDGE**

Whether speaking / reasoned

✓
Yes / No

Whether Reportable

✓
Yes / No