

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

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CWP-12304-2016

Date of Decision: June 07, 2016

RAVI MOHAN BHATNAGAR

-PETITIONER

VS

STATE OF HARYANA AND ORS.

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. G.C. Shahpuri, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (ORAL)

Petitioner alleges that he was appointed as a Clerk in the year 1979 and his services were regularized on 03.04.1981. On attaining the age of superannuation, he stood retired w.e.f. 30.09.2012. There was no complaint during the service tenure of the petitioner. It was just before his retirement he was charge sheeted in respect of alleged irregularities and embezzlement in purchase of stationery during the year 2009-2010. Petitioner contended before the Competent Authority that he was not even posted as Incharge during relevant time, rather one Ms. Indu Jain was the Incharge of the Stationery and Purchase. Inquiry Officer submitted his report on 10.10.2012 and subsequently, Show Cause Notice was issued on 16.07.2013, allegedly proving one charge against the petitioner. Petitioner filed his reply to Show Cause Notice, pointing out his defence vis-a-vis the fact that he was not Incharge of the stock Register and purchase of stationery item during the year 2009-2010. Petitioner was granted only a

provisional pension. Three years have already gone by, but the needful in the context of paying the retiral dues has not been done, nor the representation and the legal notice have been decided.

Learned counsel for the petitioner contends that retiral benefits of the person cannot be withheld in the manner as done by the respondents.

Admittedly, a legal notice is pending consideration before the Competent Authority. At this stage without embarking upon the merits of the case as pleaded by the petitioner, it would be just and expedient to get the legal notice decided from the Competent Authority by obligating him to decide the same within specified period.

Therefore, respondent No.2 is directed to have a fair look on the legal notice so submitted on behalf of the petitioner and decide the same expeditiously preferably within a period of two months from the date of receipt of certified copy of this order.

Writ petition stands disposed of accordingly.

June 07, 2016
 jyoti Y.

(RAJ MOHAN SINGH)
JUDGE