

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.20703 of 2014 (O&M)

Date of decision : September 27, 2016

Gajender Singh

..... Petitioner

Versus

The Punjab State Cooperative Supply and
Marketing Federation Ltd.

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Ajay Mahajan, Advocate for the petitioner.

Mr. Karminster Singh, Advocate for the respondent.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Petitioner seeks quashing/modification of order dated 09.04.2014 (Annexure P-9) passed by the respondent, whereby interest @ 6% per annum was allowed to the petitioner from 19.07.2010 to 01.04.2013 on the retiral dues from the date of his acquittal in a criminal case till date when the payment of retiral dues was released.

Petitioner had retired from service on 31.08.1999 on attaining the age of superannuation. It comes out from the petition that the retiral benefits of the petitioner were not released.

However, from the reply of the respondent, it comes out that a criminal case was also pending against the petitioner in addition to some audit report, on account of which payment of some retiral dues was withheld, which were ultimately released on 09.04.2014. The petitioner was acquitted in the criminal case on 19.07.2010. Therefore, from the date of acquittal till payment, 6% per annum interest has been allowed.

In this case, the petitioner has concealed about the pendency of a criminal case, though, it was mentioned in the impugned order dated 09.04.2014 (Annexure P-9). Even the copy of the criminal case has not been placed on file to show as to for which offence, he was tried. However, it was allegedly as case of criminal misappropriation. The grounds on which, he was acquitted, are also not coming out, in the absence of the copy of the judgment.

In these circumstances, the petitioner is not entitled to any relief.

As such, the present petition is dismissed.

(KULDIP SINGH)
JUDGE

September 27, 2016

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Whether speaking / reasoned Yes

Whether Reportable: No