

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

Sr. No.122

**CWP No.6034 of 2016
Date of decision: 31.03.2016**

Mahender Singh

....Petitioner

versus

The Managing Director, Dakshin Haryana Bijli Vitran Nigam, Panckula,
Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Ajay Pal Singh, Advocate,
for the petitioner.

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DEEPAK SIBAL, J. (Oral)

Through the present petition, the petitioner seeks issuance of a direction to the respondent-Corporation to release his service benefits including increments, benefits of Assured Career Progression (ACP) etc. alongwith all other consequential benefits which have been withheld on account of pendency of departmental proceedings against him.

A few facts may be noticed.

While the petitioner was serving the respondent-Corporation as a Lineman, FIR No. 27 dated 21.08.2008 under Sections 7/13, 49/88 of Prevention of Corruption Act, 1988, Police Station SVB, Hisar, was registered against him. In the trial which ensued, the petitioner was acquitted. However, State of Haryana challenged the petitioner's acquittal through an appeal before this Court being Criminal Appeal No. CRM-A-588-MA of 2009 which stands admitted and awaits final hearing.

In the meanwhile, on the basis of the allegations in the afore-referred FIR, a charge-sheet dated 15.06.2009 (Annexure P-2) was served upon the petitioner but apparently due to the pendency of the trial and now the appeal no proceedings beyond the serving of charge-sheet were undertaken. As a result of the pending disciplinary proceedings initiated through the afore-mentioned charge-sheet against the petitioner, his service benefits including increments, benefits of ACP etc. have been withheld.

Learned counsel for the petitioner submits that at this stage, he would be satisfied if a direction is issued to respondent No.1 to take a final decision qua the disciplinary proceedings initiated against the petitioner through charge-sheet dated 15.06.2009 (Annexure P-2). He further submits that since the charge-sheet has already been pending against the petitioner for nearly 07 years, the final decision be directed to be taken expeditiously.

I find the prayer made by the learned counsel for the petitioner to be reasonable.

Accordingly, without commenting on the merits of the case, a direction is issued to respondent No.1 to take a final decision qua the disciplinary proceedings initiated against the petitioner through charge-sheet dated 15.06.2009 (Annexure P-2). The record reveals that no worthwhile proceedings have been undertaken in pursuance to the afore-referred charge-sheet for nearly 07 years and therefore the decision be taken by respondent No.1 expeditiously but not later than three months from the date of a receipt of a certified copy of this order through a reasoned order.

Needless to add that the decision so taken be communicated to the petitioner and if the decision is not to the satisfaction of the petitioner,

he would be at liberty to challenge the same, in accordance with law.

The writ petition stands disposed of in the above terms.

(DEEPAK SIBAL)
JUDGE

March 31, 2016

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