

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RSA No.5595 of 2016 (O&M)
Date of Decision:-21.12.2016.

State of Punjab and others

.....Appellants

Versus

Boota Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. M.S. Naryal, Additional A.G. Punjab for the appellants.

P.B. BAJANTHRI, J. (Oral)

In the last occasion, learned counsel for the appellants was directed to satisfy this Court to the extent whether Punjab Civil Services (Punishment and Appeal) Rules, 1970 is applicable to the retired employees or not. Learned counsel for the appellants fairly submitted that as per the applicability clause of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 do not apply for such of those retired employees. In the present appeal, the appellants have questioned the validity of the Trial Court as well as Appellate Court order dated 18.11.2014 and 22.1.2016, respectively. The respondent while working as a Superintendent Grade II in the Agriculture Department, he was subjected to disciplinary proceedings on certain allegations and it was concluded in imposing the penalty of compulsory retirement on 12.11.2007. Thereafter, the appellants have proceeded to

recover the amount of ₹ 2,61,000/- from the gratuity in the absence of

passing any order under the provisions of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 while he was in service i.e. before retiring him on 12.11.2007. Therefore, order of the Trial Court as well as Appellate Court are in accordance with law. No interference is called for.

Appeal stands dismissed.

(P.B. BAJANTHRI)
JUDGE

December 21, 2016.

sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.