

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.13410 of 2011

Date of Decision:-10.03.2017.

Prem Chand

.....Petitioner

Versus

UHVPN, Shakti Bhawan and others

.....Respondents

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

Present: Mr. Naveen Daryal, Advocate for the petitioner.

Mr. Hitesh Pandit, Additional A.G. Haryana.

P.B. BAJANTHRI, J. (Oral)

In the instant writ petition, the petitioner has questioned the initiation of inquiry dated 19.1.2011 on the ground that he has attained the age of superannuation and retired from service on 30.11.2008, therefore, Regulation No.7 of the UHBVN (HSEB) Employee (P&A) Regulations, 1990 are not applicable for retired employees. Thus, the initiation of inquiry is liable to be set aside. It was further contended that on earlier occasion, the petitioner was chargesheeted in the year 2010 and the same was dropped on 4.11.2010 (Annexure P-4). During pendency of this petition, it is learnt that inquiry has been completed and order of recovery has been ordered as a measure of penalty. The final order passed in the disciplinary proceedings is not under challenge. On 30.8.2016 disciplinary proceedings are concluded in imposing the penalty. The same is not

challenged by the petitioner. In view of the later development, the present petition do not survive for consideration. The petitioner is permitted to challenge the final order dated 30.8.2016 including whether the initiation of inquiry by the respondent is permissible or not having regard to the fact that on earlier occasion in the year 2010, petitioner was charge-sheeted and it was dropped.

With the above observations, petition stands disposed of.

(P.B. BAJANTHRI)
JUDGE

March 10, 2017.
sandeep sethi

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.