

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

Sr. No.137

Civil Writ Petition No.14110 of 2017
DECIDED ON: July 03, 2017

RANBIR SINGH DAHIYA

..PETITIONER

VERSUS

**HARYANA STATE FEDERATION OF CONSUMER'S CO-
OPERATIVE WHOLESALE STORES LTD (CONFED) AND
ANOTHER**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Dhiraj Chawla, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant Civil Writ Petition preferred under Article 226 of the Constitution of India, petitioner has sought the quashing of chargesheet dated October 10, 2012 (Annexure P-6) as there is no provision under the Staff Service Rules of The Haryana State Federation of Consumer's Cooperative Wholesale Stores Ltd., 1975 to chargesheet or hold disciplinary proceedings against a retired employee as held vide judgment dated May 22, 2013 (Annexure P-18) and judgment dated May 18, 2016 (Annexure P-19), hence rendering the same illegal and unsustainable in absence of a specific provision thus rendering subsequent proceedings non-est and illegal including the impugned order dated July 24, 2013

Civil Writ Petition No.14110 of 2017

(Annexure P-13) whereby penalty of recovery ₹ 45,52,504/- has been saddled mechanically.

2. At the very outset of the arguments, it has been submitted by learned counsel for the petitioner that though the petitioner has preferred an appeal against order dated July 24, 2013 (Annexure P-13) passed by the respondent No.1 in the year 2013 itself and respondent No.2 is the seisin of that appeal. But despite the fact that, a number of representations have already been made to decide the said appeal at its earliest but till date no substantive step(s) has been taken to dispose of the same. Moreover, learned counsel for the petitioner feels satisfied in case the said appeal is directed to dispose of in a time bound manner.

3. Accordingly, instant petition is disposed of with respondent No.2 that since the petitioner is a retiree and is suffering from harassment during the pendency of appeal as well as other representations pertaining to his service, the respondent No.2 is directed to ensure final disposal of an appeal within a period of three months from the date of receipt of certified copy of this order by taking into consideration all the material available on file as well as hearing the counsel for the appellant.

July 03, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**