

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CWP-2939-2016

Date of decision : 20.11.2017

Om Parkash

... Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Limited and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

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

Mr.Naveen Batra, Advocate
for the respondents.

AMOL RATTAN SINGH, J.(ORAL)

Admittedly the petitioner was not subjected to any disciplinary proceedings with regard to recovery of Rs.1,68,181/- from him, after he was issued a show cause notice prior to the impugned order being passed.

The petitioner having retired from service in the year 2008, with no disciplinary proceedings having been continued even in terms of Rule 2.2(b) of the Punjab Civil Service Rules, Volume II (as applicable to the State of Haryana), obviously the impugned order dated 20.03.2014, Annexure P-2, is unsustainable.

In fact, learned counsel for the respondents has now produced in Court a communication addressed by the Chief Engineer to the Superintending Engineer concerned, with regard to the aforesaid amount having been written off, with learned counsel further submitting that the petitioner would be paid the amount within a short period.

Consequently, this petition is disposed of with a direction to the

respondents to pay all retirement and other dues to the petitioner within a period of 3 months from the date of receipt of a certified copy of this order, with interest to be paid to him @ 7% per annum, running from the date that the dues were to be paid till the date they are actually paid. However, as regards provident fund, statutory interest (as per the statute governing such provident fund), would be paid.

Learned counsel for the respondents also submits, on instructions from the official present in Court to assist him, that the petitioner has also now been paid the arrears of the ACP pay scales, duly received by him.

Obviously interest as ordered above, would be due to the petitioner, to be paid within 3 months from the date of receipt of a certified copy of this order, on all dues as have been paid to him late.

(AMOL RATTAN SINGH)
JUDGE

November 20, 2017.

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No