

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 8844 of 2016 (O&M)
Date of Decision: 30.05.2017

Niranjan Singh

...Petitioner

Vs.

State of Haryana and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH.

Present: Mr. Sunil K. Nehra, Advocate,
 for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana

KULDIP SINGH, J (ORAL)

The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India praying for issuance of writ in the nature of certiorari for quashing the order dated 19.07.2011 (*Annexure P-2*) vide which the petitioner has been dismissed from service. The prayer has also been made for issuance of writ in the nature of mandamus directing the respondents to release the pensionary benefits of the petitioner.

It comes out that the petitioner was working as Patwari with Revenue Department, Haryana since 1984. During his service, he was convicted and sentenced under provisions of the Prevention of Corruption, Act and the appeal against the said conviction and sentence is pending before this Court. On account of his conviction, he was dismissed from service on 19.07.2011.

Learned counsel for the petitioner states that the departmental appeal against his dismissal order dated 19.07.2011, is pending before the Financial Commissioner and Principal Secretary, Revenue Department,

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Haryana Civil Secretariat, Chandigarh. The petitioner has impugned the aforesaid order dated 19.07.2011 vide which he was dismissed from service.

Since, the petitioner has not exhausted the departmental remedy, therefore, present petition is disposed of being premature, with a direction to the Financial Commissioner, Principal Secretary, Revenue Department, Haryana Civil Secretariat, Chandigarh, to decide the departmental-appeal of the petitioner against his dismissal, within three months from the date of receipt of certified copy of this order.

May 30, 2017

Suresh Kumar

(KULDIP SINGH)
JUDGE

<i>Whether speaking / reasoned</i>	:	✓ Yes / No
<i>Whether Reportable</i>	:	✓ Yes / No