

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

CWP No.20430 of 2015 (O&M)

Date of decision: 16.11.2018

Bahadur Singh Saini

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr. R.K. Arora, Advocate  
for the petitioner(s).

Ms. Ambika Bedi, AAG, Punjab.

**Jitendra Chauhan, J. (Oral)**

**CM-15347-CWP-2017**

Allowed as prayed for, subject to all just exceptions.

**Main Case**

The challenge in the present petition is to order dated 26.08.2015 (Annexure P-3) passed by respondent No.2 whereby the case of the petitioner for seeking voluntary retirement from 15.09.2015 as per his application dated 15.06.2015 (Annexure P-2) has been rejected.

During the course of arguments, it has come into light that the enquiry against the petitioner has not been finalized.

Learned counsel for the petitioner refers to Annexure P-12 & P-13 to contend that the identically placed persons were inflicted with the penalty of compulsory retirement as envisaged in Rule 5(vii) of Punjab Civil Services (Punishment and Appeal) Rules, 1970. He further states that at this stage he would be satisfied in case respondent No.2-Director Public

Instructions (SE), Punjab, Vidhya Bhawan, PSEB Building, Ph-VIII, Mohali is directed to conclude the enquiry in the light Annexure P-12 & P-13 in a time bound manner.

Learned State counsel submits that she has no objection in case such a direction is issued.

Heard.

Considering the fact that the enquiry against the petitioner has not yet been finalized, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.2-Director Public Instructions (SE), Punjab, Vidhya Bhawan, PSEB Building, Ph-VIII, Mohali to finalize the enquiry in the light of Annexure P-12 and P-13 as per law.

16.11.2018

*sumit.k*

**(JITENDRA CHAUHAN)**  
**JUDGE**

|                             |     |    |
|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |