

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

Sr. No.126

Civil Writ Petition No.16616 of 2018
DECIDED ON: July 11, 2018

TARLOK SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vipin Mahajan, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of Certiorari, quashing the order dated 16/21.07.2014 (P-7/T) passed by respondent No.2 vide which recovery of Rs.25,47,374/- has been imposed upon him and quashing of charge memo dated 27.07.2009 (P-5/T) issued to him on the same ground on which earlier also he was proceeded against departmentally vide charge sheet dated 25.08.2005 (P-1/1/T) and in which punishment was also imposed upon him vide order dated 15.09.2009 (P-3/T) and to quash the order dated 15.09.2009 (P-3/T) WITH FURTHER prayer to issue a writ in the nature of mandamus directing the respondents to take a final decision on the appeal dated 29.12.2009 (P-4/T) filed by him against order of punishment dated 15.09.2009 (P-3/T) and another appeal dated 30.09.2014 (P-8/T) against order of punishment dated 16/21.07.2014

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(P-7/T) and also to release the retiral benefits in terms of Gratuity, leave encashment etc. along with interest AND to issue a writ in the nature of prohibition restraining the respondents from taking any coercive step to effect recovery from him till the final decision of statutory appeals dated 29.12.2009 (P-4/T) and 30.09.2014 (P-8/T).

2. At this juncture, learned counsel for the petitioner feels satisfied in case a direction is issued to respondent No.1 to take a final decision on the appeals dated 29.12.2009 (P-4/T) and 30.09.2014 (P-8/T), within some stipulated period.

3. Considering the aforesaid submission but without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent No.1 to take a conscious and final decision on the appeals dated 29.12.2009 (P-4/T) against order of punishment dated 15.09.2009 (P-3/T) and dated 30.09.2014 (P-8/T) against order of punishment dated 16/21.07.2014 (P-7/T) pending before him, within a period of six months positively from the date of receipt of a certified copy of this order.

4. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to have recourse to the remedies available under law as well as to approach this Court.

July 11, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**