

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.24048 OF 2015
DECIDED ON: FEBRUARY 12, 2018

DEVINDER KUMAR SHARMA

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Anil Kumar Bhardwaj, Advocate,
for the petitioner.

Mr. RKS Brar, Additional Advocate General, Haryana.

JASPAL SINGH, J

By virtue of instant petition preferred under Article 226/227 of the
Constitution of India, petitioner has sought the following relief:-

“(i) *Directing the respondents to implement order dated 20.01.2015 (Annexure P-17) passed by Appellate Authority i.e. Special Secretary to Govt. of Haryana, PWD, B& R Branch whereby the appeal of the petitioner in charge sheet dated 22.12.2008 (Annexure P-1) under Rule 7 has been allowed and the punishment order dated 07.02.2013 has been set aside.*

(ii) *to conclude and close the disciplinary proceedings initiated against the petitioner vide charge sheet*

dated 25.03.2011 (Annexure P-19) in respect of which as per the information received from reliable source inquiry officer has already submitted his report on 08.05.2014 whereby the charges against the petitioner have not been proved and

(iii) to release of interest on delayed payment of commutation pension of Rs.3,24,862/- w.e.f. 01.01.2009 to 18.06.2013 which was kept held by the respondents due to pendency of charge sheet dated 22.12.2008.

(iv) to release of balance amount of DCRG of Rs.1.85 lacs with interest thereon w.e.f. 01.01.2009 till date of payment which was also kept held by the respondent due to pendency of charge sheet dated 22.12.2008 and to pay the interest on delayed amount of Rs.1,58,943/- of DCRG w.e.f. 01.01.2009 to 29.05.2013 and to pay interest upon the arrears of pay and allowances for the period of suspension w.e.f. 22.12.2008 to 09.07.2015 and to pay arrears of pension DCRG and commutation on account of grant of 2nd ACP w.e.f. 01.01.2009 till date of payment with future interest on delayed payments 18 per annum from the date the amount became due to the actual date of payment any other order or direction as deemed in the facts and circumstances of case.”

2. At the very outset of the arguments, it has been pointed out by learned State counsel that all the dues on account of retiral benefits along with

interest have already been paid to the petitioner by the respondents and in this regard he refers to an endorsement made by petitioner-Davinder Kumar, Assistant (Retired) as Annexure R-X, which is taken on record and reads as under:-

*“All due retiral benefits along with interest Rs.2,96,210/-
has been received by me up to 21.11.2017.”*

3. In view of the aforesaid facts and circumstances particularly the endorsement, the instant petition has rendered infructuous and it stands disposed of. However, if the petitioner still feels aggrieved, he shall be at liberty to have recourse to the other remedies available to him under law as well as to approach this Court.

FEBRUARY 12, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes/No</i>