

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

Sr. No.207

Civil Writ Petition No. 555 of 2014
DECIDED ON: January 22, 2018

DHARAM PAL

..PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Pankaj Middha, Advocate,
for the petitioner.

Mr. Charanjit Singh Bakshi, Addl. A.G., Haryana.

Mr. Amit Jaiswal, Advocate,
for respondents No.2 & 3.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to release/disburse the retiral benefits i.e. pension, leave encashment, gratuity, four annual increment from 2000 to 2003, 2nd and 3rd ACP Scale, EPF, Insurance benefits and other consequential retiral/service benefits and further to decide the legal notice dated September 11, 2013 (P-7).

2. During the course of arguments, it has emerged that entire amount payable to the petitioner has already been paid to him after having deducted an amount of Rs.1,53,714/- on account of loss caused to the respondent-Confed imposed by two different orders No.Estt/EA-2/13400-402 dated 11.02.2015 and No.Estt/EA-5/11765-69 dated 17.03.2017. These

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orders have not so far been challenged by the petitioner and are still operative, effective and enforceable, rather the same stood imposed. After the deduction of an amount of Rs.1,53,714/- from the retiral benefits of the petitioner, remaining due amount has been paid as per order dated March 17, 2017.

3. In the light of aforesaid facts and circumstances, instant petition is disposed of having been satisfied. However, petitioner shall be at liberty to challenge the orders dated 11.02.2015 and 17.03.2017 passed by the concerned authority during the pendency of the instant petition, whereby the recovery has been ordered to be effected on account of alleged loss caused to the respondent-Confed.

4. No order as to costs.

January 22, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

Yes/No