

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.23582 of 2018

Date of Decision:-30.10.2018

Ravinder Kumar.

.....Petitioner.

Versus

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Bikramjit Singh Patwalia, Advocate for the Petitioner.

Mrs. Anu Chatrath Kapoor, Additional Advocate General,
Punjab for the respondent(s)/State assisted by
Mr. Sanjeev Kumar, Senior Assistant, office of DHS.

JASWANT SINGH, J.(ORAL)

The Petitioner, while working as Senior assistant, and after having served more than 25 years with the Department of Health and Family Welfare, Punjab, submitted his request/application dated 23.06.2018 for voluntary retirement to be effective w.e.f. 01.07.2018, by giving 24 hours notice and depositing three(03) months salary in lieu of three (03) months notice period. The same was rejected vide impugned memo dated 18.07.2018 (Annexure P-13), in the light of a pending enquiry against him.

This Court while issuing notice of motion on 19.09.2018 had requested the State Counsel to reconsider the request of the petitioner for voluntary retirement subject ofcourse to the pending Disciplinary

proceedings to be initiated, if any (although it is not so recorded in as much terms).

At the time of resumed hearing today, counsel for the respondents has placed on record an order dated 16/17.10.2018, whereby the petitioner has been permitted to voluntary retire w.e.f. 31.10.2018 subject to the disciplinary proceedings, if any to be initiated.

In response, counsel for the petitioner prays only for the adjustment/release of the three months salary deposited by the petitioner in lieu of the notice period.

Prayer is reasonable and is liable to be accepted.

Accordingly a direction is given to the respondents to refund the aforesaid amount within one month from today.

In view of the aforesaid agreed circumstances, no further adjudication is required.

Disposed of as infructuous.

(JASWANT SINGH)
JUDGE

October 30, 2018
Vinay

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