

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 26597 of 2018

Date of Decision: 16.10.2018

R.K.Sharma

... Petitioner(s)

Versus

State of Haryana and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Shekher Dhawan.

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

Shekher Dhawan, J.

Present writ petition is for quashing of memorandum dated 05.09.2018 (Annexure P1).

Learned counsel for the petitioner contended that petitioner retired from his service on 31.10.2011 and on that date, no disciplinary proceedings were pending against him nor any such proceedings were initiated. After two years of his retirement, he was issued charge sheet on 18.07.2013 and Inquiry Officer was appointed, who had submitted report dated 18.07.2014 (Annexure P7), thereby exonerating him of all the charges. But still, the Disciplinary Authority disagreed with the inquiry report and passed the memorandum (Annexure P1) and his retiral benefits including pension have not been released. Legal notice dated 06.07.2018 (Annexure P8), which was got issued by the petitioner, has not been decided as yet.

Notice of motion.

On asking of the Court, Mr. Pankaj Mulwani, Deputy Advocate General, Haryana accepts notice on behalf of respondent No.1. A complete copy of paper-book be provided to him during the course of the day.

In view of above, present writ petition stands disposed of with the directions to the respondents to look into and decide legal notice dated 06.07.2018 (Annexure P8) expeditiously and preferably within a period of three months from the date of receipt of a certified copy of this order. Meanwhile, no further action shall be taken on the basis of memorandum dated 05.09.2018 (Annexure P1).

(Shekher Dhawan)
Judge

October 16, 2018
“DK”

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No