

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

**CWP No.9454 OF 2014
DECIDED ON: FEBRUARY 16, 2018**

MANJEET KAUR

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Surmukh Singh, Advocate,
for the petitioner.

Ms. Deepali Puri, Additional Advocate General, Punjab.

JASPAL SINGH, J.

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ especially in the nature of certiorari for setting aside letter No.1376 dated 04.03.2014 (Annexure P-3) whereby pension case of the petitioner was withheld and not forwarded to Accountant General, Punjab.

2. However, during the pendency of instant petition, it emerged that impugned letter No.1376, dated 04.03.2014 (Annexure P-3), vide which, the pension case of the petitioner was withheld, since, stood washed away by way of conclusion of the departmental inquiry vide order dated 24.11.2016, whereby 33% cut in pension for a period of 8 years from the date of superannuation of the petitioner has been imposed with further 33% cut in gratuity.

3. In the light of the fact that disciplinary inquiry has since been concluded vide order dated 24.11.2016, instant petition has rendered infructuous and stands disposed of accordingly.

4. However, petitioner shall be at liberty to challenge the aforesaid order dated 24.11.2016, if he feels so aggrieved and, in case, he does not intend to challenge the said order and get it implemented, he should approach respondent No.2-The Director Public Instructions (S.E.), Punjab, Office in complex, PSEB, Block-D, Phase VIII, SAS Nagar, Mohali and move an application for release of the benefits accrued to him on his retirement. The same shall be calculated and released to petitioner within a period of three months from the date of submission of such application by him to respondent No.2.

5. Non-compliance of the aforesaid order shall entail interest @ 9% per annum from the date of institution of the instant petition till actual payment.

FEBRUARY 16, 2018
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(JASPAL SINGH)
JUDGE

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