

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

CWP-7373-2018

Date of Decision: 23.03.2018

Surinder Kumar Verma

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. K.S. Jetley, Advocate
for the petitioner.

P.B. BAJANTHRI J. (Oral)

In the instant petition, petitioner has challenged the order dated 31.10.2017 by which petitioner's commutation of pension, pension and gratuity etc. has been withheld due to pendency of disciplinary proceedings.

2. There is no infirmity in the order dated 31.10.2017. At this stage, learned counsel for the petitioner submitted that petitioner has not been paid even the provisional pension and so also he is entitled for gratuity. Petitioner, if he was facing disciplinary proceedings in that event he is entitled for provisional pension as per the provisions. Therefore, competent authority is hereby directed to extend provisional pension in accordance with law within a period of three months from today.

3. Insofar as gratuity amount is concerned, if there is prohibition for extending in a case where an employee is facing disciplinary proceedings, in that event, order of withholding of gratuity amount is in order. That apart concerned respondent is directed to complete disciplinary

proceedings within a period of 6 months from today having regard to the fact that petitioner had retired from service on 31.10.2017.

4. With the above observation, petition stands disposed of.

23.03.2018
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**