

COCN No. 3582 of 2017

DECIDED ON: SEPTEMBER 23, 2019

MOHAN LAL

.....PETITIONER

VERSUS

S S PRASAD AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. G.C. Shahpuri, Advocate
for the petitioner.

Mr. Sandeep S. Mann, Sr. DAG, Haryana.

AVNEESH JHINGAN, J (ORAL)

Petitioner aggrieved of compulsorily retirement filed a writ petition for quashing the show cause notice dated 09.06.2010 and order dated 18.11.2010. The writ petition was allowed on 23.02.2017. The directions were issued to consider the ACR for the whole year and then decide about the final remarks to be recorded or retained.

During the pendency of writ petition, the petitioner had attained the age of superannuation. The department was to pass necessary orders regarding releasing consequential benefits treating him to have retired at the age of superannuation.

As per reply dated 13.05.2019, the directions of this Court have been complied with and the petitioner was found entitled to a sum of ₹11,62,523/-. Out of the said amount, an amount of ₹5,27,088/- has been deducted on account of recovery of pension already paid. An amount of

₹6,35,435/- was deposited in the bank account of the peitioner bearing No. 056010100153560, Axis Branch, Branch Sector 14 Gurugram.

In view of reply, learned counsel for the petitioner submits that no cause of action survives for pursuing the present petition.

Disposed of as infructuous.

Rule issued against the respondents stands discharged.

Petitioner would be at liberty to avail remedy in accordance with law in case there is grievance with regard to the calculations of the amount or against the deduction made of ₹5,27,088/-

SEPTEMBER 23, 2019
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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*