

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

216

**CWP No.13897 of 2016
Date of decision: 24.10.2019**

Amarjeet Singh

...Petitioner

Vs.

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Alka Chatrath, Advocate
for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab.

HARSIMRAN SINGH SETHI, J.(ORAL)

The challenge in the present writ petition is to the order dated 11.05.2017,(Annexure P-19) by which after holding disciplinary proceedings against the petitioner, in respect of the charge sheet dated 17.09.2014, the pensionary benefits of the petitioner have been withheld. Pensionary benefits have been withheld on the ground that petitioner has been found guilty in the disciplinary proceedings on the allegations that certificates of qualification of B.Ed., which the petitioner had obtained from Kanpur University, was not genuine and the said qualification was necessary for getting appointment with the respondent-State of Punjab in the Department of Education and petitioner obtained the appointment on a forged certificate.

Learned counsel appearing on behalf of the respondent raises a preliminary objection with regard to the maintainability of the present writ petition.

Learned counsel submits that the petitioner has a remedy of appeal against the impugned order before the appellate authority i.e. Secretary Education.

Faced with this situation, learned counsel for the petitioner prays that the petitioner be allowed to withdraw this writ petition with liberty to file appeal against the impugned order dated 11.05.2017.

Counsel for the petitioner submits that the petitioner retired in the year 2011 and is not being paid any pensionary benefits due to the said order and prays that in case the petitioner prefers an appeal against the said order, the same be decided in a time bound manner.

Learned counsel for the respondents very fairly states that in case any appeal is preferred by the petitioner, the same will be considered and the appropriate order will be passed on the same within a period of three months from the receipt of the same.

In view of the above, the petitioner is allowed to withdraw this writ petition to avail the remedy of the appeal against the impugned order.

(HARSIMRAN SINGH SETHI)
JUDGE

October 24, 2019
Poonam Sharma

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No