

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

CWP-18394 of 2014 (O&M)

Date of decision: 19.07.2019

Abhishek Goel

.... Petitioner

versus

Haryana Power Generation Corporation Ltd.

.... Respondent

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. K.K. Gupta, Advocate
for the petitioner.

Mr. Parmod Sharma, Advocate for
Mr. Kuldeep Tiwari, Advocate
for the respondent.

HARSIMRAN SINGH SETHI, J.

Counsel for the petitioner argues that the petitioner was required to deposit the amount under Clause-C of the appointment order only in case the petitioner was made to undergo a training but in the present case, no training was ever imparted to the petitioner and, therefore, petitioner was not required to pay any amount but the respondent, before allowing the petitioner to be relieved from service, got sum of Rs.1,22,000/- deposited by the petitioner under coercion which is arbitrary and illegal.

Counsel for the respondent, on the other hand, states that newly recruited employees are made to undergo a house training for a period of one year, which training was also imparted to the petitioner. Counsel for the petitioner again vehemently denied that the petitioner ever underwent any house training as being alleged by the respondents herein.

From the above, it is clear that there is a disputed question of fact involved in the present writ petition, as to whether the petitioner underwent training or not and the same cannot be decided in the present writ petition. For deciding the said disputed question of fact, petitioner has remedy before Civil Court.

Faced with this situation, counsel for the petitioner prays that he be allowed to withdraw the present writ petition with liberty to approach the Civil Court claiming the refund of Rs.1,22,000/-, or any other amount, which the petitioner was made to deposit at the time of his relieving from service.

Dismissed as withdrawn with the liberty as prayed for.

(HARSIMRAN SINGH SETHI)
JUDGE

19.07.2019
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |