

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

CWP-21525-2019

Date of decision: - 16.08.2019

Surinder Kumar Bansal

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Peeush Gagneja, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioner argues that no charge-sheet has been issued to the petitioner and only a fact finding enquiry was conducted by the respondents and on the basis of said fact finding enquiry, pensionary benefits of the petitioner have been withheld, which is impermissible in law. Counsel further argues that as there is no charge-sheet, it cannot be said that any proceedings are pending against the petitioner, which would entitle the respondents to withhold the pensionary benefits.

Counsel for the petitioner very fairly states that no representation has been submitted by the petitioner to the respondents in this regard before approaching this Court.

A mandamus can only be issued in case, there is a vested

right of an employee and the same has been agitated. There is no agitation of any right by the petitioner with the respondents for the release of his pensionary benefits.

Faced with this situation, counsel for the petitioner prays that he may be allowed to withdraw the present writ petition with a liberty to the petitioner to approach the respondents by filing an appropriate representation for the grant of relief, as being claimed in the present writ petition.

Dismissed as withdrawn, with the liberty, as prayed for.

August 16, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No