

CWP-4541-2016

Date of decision: 24.07.2019

MALKIT SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB & ORS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

Mr. Navdeep Chhabra, DAG, Punjab.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the claim, which is being raised by the petitioner is for the release of the gratuity alongwith the interest, which has been withheld by the respondents. As per the averments made in the writ petition, the petitioner has already retired as a Senior Auditor on 30.04.2015 and except the benefit of gratuity, all other benefits including the provisional pension have been paid to him.

Learned counsel for the respondents has filed an affidavit that there are two charge-sheets pending against the petitioner. One charge-sheet is dated 06.03.2019, which according to the respondents' affidavit, has been received by the petitioner on 18.03.2019. The second charge-sheet was issued to the petitioner on 06.06.2019 to which the petitioner has already submitted the reply.

Learned counsel for the respondents states that initially, there was a vigilance case pending against the petitioner at the time of the retirement due to which the benefit of gratuity was withheld. Now, the Department of Vigilance has asked the Administrative Department to issue charge-sheet for the gross negligence in discharge of his duty, due to which, the above stated two charge-sheets have been issued to the petitioner and the benefit which the petitioner is

claiming for the release of gratuity, will only be decided after the finalization of these two charge-sheets.

Learned counsel for the petitioner states that as admitted by the respondents, reply to the charge-sheet dated 06.06.2019 has already been submitted by the petitioner and the reply to the charge-sheet dated 06.03.2019 will be submitted by the petitioner within a period of four weeks from today and the respondents be directed to finalize the enquiry at the earliest.

Learned counsel for the respondents on instructions from Satpal Singh, Establishment Officer, O/o Chief Auditor Corp. Society, Punjab states that as there are two enquiries and in case the petitioner cooperates, the enquiries will be finished within a period of six months from the day when the petitioner submits his reply to the second charge-sheet as undertaken by the counsel for the petitioner.

Keeping in view statement of counsel for the respondents that enquiry proceedings will be finished in a time bound manner, counsel for the petitioner states that he does not wish to press this writ petition any further at this stage. The petitioner and respondents will be bound by their statements as recorded herein before.

Disposed of having been not pressed.

24.07.2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No