

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-29371-2019

Date of decision: - 14.10.2019

Karambir Singh

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Narinder Singh Behgal, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance which is being raised by the petitioner is that though, he has retired on attaining the age of superannuation on 30.06.2018, but all the pensionary benefits for which he is entitled has not been released on the ground of pendency of charge-sheet dated 14.12.2015 (Annexure P-1).

Counsel for the petitioner argues that the said charge-sheet is pending for the last approximately four years, but the respondents are not finalizing the same without any valid justification and non-finalization of the enquiry proceedings is causing prejudice to the petitioner as his pensionary benefit of Gratuity and Commutation of Pension have been withheld and he has no other source to live dignified life, hence prays for the release of the said benefits.

Counsel for the petitioner states that at this stage, the petitioner will be satisfied in case the respondents are directed to finalize the enquiry proceedings in respect of the charge-sheet dated 14.12.2015 (Annexure P-1) in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Charanjit Singh Bakhshi, Additional Advocate General, accepts notice on behalf of the respondents. Counsel for the respondents states that keeping in view the order, which is being passed, no reply is needed at this stage. Counsel for the respondents further states that enquiry proceedings in respect of the charge-sheet dated 14.12.2015 (Annexure P-1), if not already finalized, will be finalized within a period of six months from the date of receipt of certified copy of this order.

Counsel for the respondents further states that the said undertaking finalizing the enquiry proceedings in six months can only be fulfilled in case the petitioner cooperate and does not create any hurdle in finalizing the enquiry proceedings within the time frame as stated above.

Counsel for the petitioner states that petitioner will cooperate in all respects in finalizing the enquiry proceedings within a period of six months from the date of receipt of certified copy of this order.

Keeping in view the above, the present writ petition is disposed of with the direction to the respondents to finalize the enquiry proceedings within a period of six months from the date of receipt of certified copy of this order, if not already finalized. Further, as the present writ petition is being disposed of without the reply, the

respondents will be at liberty to approach this Court for the extension of time, in case, the petitioner does not cooperate or due to any uncalled, unforeseen valid reason, the enquiry could not be completed within the given time frame, as undertaken by the counsel for the respondents. Further, after the finalization of the enquiry proceedings, the claim of the petitioner for the release of the benefits as made in the present writ petition including the release of the 1st, 2nd and 3rd ACP shall also be considered and appropriate order shall be passed in that regard as well.

Present writ petition stands disposed of in above terms.

October 14, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No