

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(143)

CWP-27789-2019

Date of Decision: September 26, 2019

Kuldeep Singh Bhalla

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Arora, 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 on the date when he retired on attaining the age of superannuation on 30.06.2003, certain benefits of the petitioner for the service, which he had rendered with the respondents, have been withheld on the ground that a charge-sheet dated 04.02.2003 is still pending against the petitioner.

Learned counsel for the petitioner argues that even after expiry of more than fifteen years of the issuance of the charge-sheet, the said proceedings have not been taken to its logical end by the respondents and pendency of the charge-sheet is causing prejudice to the petitioner as the benefits for which the petitioner was entitled after retirement, are being withheld.

The prayer of the petitioner is for issuance of a direction to the respondents to finalize the proceedings in respect of the charge-sheet dated 04.02.2003 in a time bound manner.

Notice of motion.

On asking of the Court, Mr. H.S. Sitta, Assistant Advocate

General, Punjab, who is present in Court, accepts notice on behalf of the respondents.

Keeping in view the prayer made by the petitioner, no reply is needed, at this stage.

Learned counsel for the respondents states that charge-sheet dated 04.02.2003 will be finalized within a period of six months from the receipt of certified copy of this order. Learned counsel for the respondents further states that the petitioner be directed to co-operate with the department in finalizing the enquiry within the fixed time frame.

Learned counsel for the petitioner assures this Court that all the necessary assistance will be provided by the petitioner for finalization of the enquiry within a period of six months as stated by counsel for the respondents.

As the petition is being disposed of without reply on behalf of the respondents, the respondents seeks liberty to approach this Court in case, the petitioner does not co-operate in finalization of the enquiry as undertaken by counsel for the respondents or for any unforeseen reason, the enquiry is not completed within a period of six months as undertaken by counsel for the respondents.

In view of the above, the present writ petition is disposed of and the respondents are directed to finalize the proceedings in respect of the charge-sheet dated 04.02.2003 within a period of six months.

The respondents are granted the liberty as prayed for.

(HARSIMRAN SINGH SETHI)
JUDGE

September 26, 2019
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Whether speaking/reasoned: Yes
Whether reportable: No