

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.29225 of 2019

DATE OF DECISION:14.10.2019

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)

The grievance which has been raised in the present writ petition is that though, the petitioner has retired from service on attaining the age of superannuation on 31.01.2019 but all the benefits for which the petitioner is entitled for have not been released to the petitioner.

Counsel for the petitioner very fairly concedes that the disciplinary proceedings were pending against the petitioner at the time of his retirement, which are still pending. He argues that though the enquiry report has already been received by the competent authority prior to the retirement of the petitioner but no action is being taken on the said enquiry report and the disciplinary proceedings are not being finalized, which is causing prejudice as

the retiral benefits of the petitioner such as gratuity, leave

encashment etc. have been withheld by the respondents.

Learned counsel for the petitioner states that the petitioner will be satisfied in case the enquiry proceedings, which are pending against the petitioner are concluded in a time bound manner.

Notice of motion to the respondents.

Ms. Safia Gupta, Assistant Advocate General, Haryana accepts notice on behalf of the respondents and submits that keeping in view the request of the learned counsel for the petitioner for finalizing the enquiry proceedings in a time bound manner, no reply is needed to be filed at this stage.

Counsel for the respondents states that if the averments made in the writ petition are correct that the enquiry report has already been received as far back as on 28.01.2019, the enquiry proceedings will be finalized within a period of six months in case the petitioner cooperates for finalizing the same and does not create any kind of hindrance.

Counsel for the petitioner states that the petitioner will cooperate so that the enquiry proceedings are finalized within a period of six months as undertaken by the respondents.

Keeping in view the statement given by the counsel for the respondents, the respondents are directed to finalize the enquiry proceedings within a period of six months from the date of receipt of a certified copy of this order.

It is made clear that in case the petitioner does not cooperate or due to any unforeseen reasons, the respondents are

unable to decide the enquiry proceedings within a period of six

months, the petitioner will have liberty to approach this Court for extension of time, if there exists a valid ground for the same.

The writ petition stands disposed of in above terms.

October 14, 2019
jt

(HARSIMRAN SINGH SETHI)
JUDGE

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