

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-32992-2019

Date of decision: - 15.11.2019

Subash Chander Tejpal

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Bikramjit Aroua, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioner argues that on the date when the petitioner retired on attaining the age of superannuation on 30.04.2017, there a show-cause notice pending against him issued under Rule 10 of the Punjab Civil Services (Punishment & Appeal) Rules, 1970, due to which the respondents had withheld some of the pensionary benefits of the petitioner. After the retirement, the said show-cause notice dated 25.07.2016 was dropped by the respondents on 04.09.2019. Counsel for the petitioner further argues that after dropping of the said show cause notice, there was no impediment in the release of the pensionary benefits of the petitioner, but still the respondents have not released the pensionary benefits of the petitioner without any valid justification.

Counsel for the petitioner very fairly states that after the dropping of the show cause notice dated 25.07.2016, the petitioner has

never approached the respondents claiming the release of the pensionary benefits.

The writ of mandamus cannot be issued unless the claim, which is being made by the petitioner in the present writ petition, is raised before the competent authority.

Faced with this situation, learned counsel for the petitioner prays that he may be allowed to withdraw the present writ petition with liberty to the petitioner to approach the respondents for the redressal of the grievance as raised in the present writ petition.

Dismissed as withdrawn, with the liberty, as prayed for.

November 15, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No