

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP-16232-2019 (O&M)
Date of Decision: 26.02.2020**

Ramesh Singh Ahlawat

... Petitioner

Versus

State of Haryana & others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. U.K. Agnihotri, Advocate and
Ms. Anshul Agnihotri, Advocate for the petitioner.

Mr. Shivendra Swaroop, AAG, Haryana.

Mr. Suresh Kaushik, Advocate for respondent No.3.

....

TEJINDER SINGH DHINDSA, J. (ORAL)

Even though formal notice had not been issued in the instant writ petition but since an advance copy of the writ paper book has been served upon the State, a short reply on behalf of respondents No.1 and 2 along with Annexures R-1 to R-6 has been filed in Court today. The same is taken on record and a complete copy thereof has been furnished to counsel opposite.

Mr. Suresh Kaushik, Advocate has entered appearance on behalf of respondent No.3.

Perusal of the written statement filed in Court today would reveal that since certain departmental proceedings under the Haryana Civil Services (Punishment and Appeal) Rules, 2016 were pending against the petitioner, the NOC for grant of permission to visit abroad has not been issued to him. A categorical stand has been taken that since the departmental

proceedings have culminated in imposition of an order of penalty dated 20.12.2019, there would be no bar for issuance of NOC in case the petitioner applies afresh and is otherwise eligible and fulfills all the requisite conditions. As regards the period for which the petitioner had remained under suspension, it has been stated in the written statement that a final decision pertaining thereto, is under consideration with the competent authority. In so far as 7th pay arrears are concerned, the categorical averment contained in para 8 of the written statement is that the 7th pay arrears w.e.f. 06.10.2017 to 31.10.2018 already stands released vide order dated 20.11.2019. Even as regards the LTC allowance is concerned, the same has been paid vide treasury order dated 20.07.2019.

In view of the above, instant writ petition is disposed of with the observation that in case the petitioner applies afresh for issuance of NOC to travel abroad, the same would be considered as per Rules and a decision would be conveyed to the petitioner expeditiously.

Directions are further issued to the competent authority to take a final decision even pertaining to the suspension period and order in such regard be also conveyed to the petitioner.

Disposed of.

26.02.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |