

**101+201 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CM-18164-CWP-2019 and
CM-18173-CWP-2019 in/and
CWP No.10931 of 2018
Date of Decision: 22.1.2020

DAV College Managing Committee and another

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Rajdeep Singh Cheema, Advocate, for the petitioners.

Mr. Gaurav Jindal, Additional Advocate General, Haryana.

Mr. Som Nath Saini, Advocate for

Mr. Tribuvan Dahiya, Advocate, for respondent No.3.

NIRMALJIT KAUR, J. (ORAL)

The present writ petition is filed for quashing the impugned order dated 12.3.2018 passed by respondent No.2, vide which, sanction has been accorded for payment of gratuity to respondent No.3, who was working as Associate Professor in petitioner's college.

Admittedly, the gratuity was sanctioned in spite of the disciplinary proceedings pending against respondent No.3. On 18.7.2019, the respondents were directed to take a final decision on the enquiry, which had already been finalised. More time was granted to take the final decision on 3.12.2019.

Today, learned counsel for the petitioner has placed on record a communication dated 20.1.2020 addressed by the DAV College Managing Committee to respondent No.3 bringing to his notice that vide resolution dated 8.1.2020 passed by the Governing Body of the DAV College, a penalty of censure has been imposed upon him.

In view the above, the State Government is at liberty to release the gratuity to respondent No.3 as already sanctioned vide order dated 12.3.2018 to the extent of their share. The petitioner too shall release its share of the gratuity.

Needful be done forthwith.

Disposed of as above.

(NIRMALJIT KAUR)
JUDGE

22.1.2020
sharmila

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No