

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-21867 of 2017

Date of decision: 30.01.2020

Avtar Singh

.... Petitioner

versus

Punjab Agro Industries Corporation Limited and another ... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. J.P. Rana, Advocate
for the petitioner.

Mr. Rujhan Dhawan, Advocate
for Mr. Karan Singla, Advocate
for the respondents.

HARSIMRAN SINGH SETHI, J.

The grievance of the petitioner in the present writ petitions is that even after his retirement on 30.09.2011, the disciplinary proceedings which were initiated against him by the respondents prior to his retirement, by way of issuing charge sheet were continued and a recovery of sum of Rs.45,74,082 was ordered to be effected from him, which is illegal and contrary to the settled principle of law.

During the course of hearing, learned counsel for the parties agree that the claim of the petitioner is covered by a decision rendered by this Court in **CWP-25369 of 2018** titled as '**Shaminder Singh Vs. The Punjab Agro Industries Corporation and another**, decided on 30.09.2019 alongwith other connected cases, wherein, this Court has held that the respondent-Corporation has no power to issue a charge-sheet to a retired

employee or to continue with the disciplinary proceedings against an employee after his retirement. It was further held by the Court in **Shaminder Singh's case (supra)** that in case any recovery is to be done from a retired employee, same can only be done by filing a civil suit.

Learned counsel for respondents very fairly states that he has no objection in case the present writ petition is disposed of in terms of order passed in **Shaminder Singh's case (supra)**.

Keeping in view the agreement between the parties, the present writ petition is disposed of in terms of order passed in **CWP-25369 of 2018** titled as **'Shaminder Singh Vs. The Punjab Agro Industries Corporation and another, decided on 30.09.2019.**

(HARSIMRAN SINGH SETHI)

JUDGE

30.01.2020

aarti1. Whether speaking/non-speaking?

Yes

2. Whether reportable?

No