

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(226)

CWP No. 8185 of 2018

Date of Decision : 10.02.2020

Ashok Kumar

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Yash Pal Sharma, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the prayer of the petitioner is for issuance of a direction to the respondents to release the amount of gratuity as well as leave encashment, which has been withheld by the respondents, though the petitioner has already retired on attaining the age of superannuation on 30.10.2016.

Learned counsel for the respondents raises a preliminary objection that there is a criminal case pending against the petitioner under the Prevention of Corruption Act. Learned counsel for the respondents argues that keeping in view the provisions of law of the Punjab Civil Services Rules, the gratuity as well as leave encashment of an employee can be withheld, if there are criminal proceedings pending against the employee.

Learned counsel for the petitioner prays that he be allowed to withdraw this writ petition, at this stage, with liberty to file a fresh one, in

case need so arises after the decision of the criminal case pending against the petitioner, in case any grievance of the petitioner subsists thereafter.

Dismissed as withdrawn, with the liberty, as prayed for.

February 10, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*