

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

CWP No.17638 of 2021 (O&M)

Date of Decision: 08.09.2021

Jagjit Singh

..... Petitioner

V/s.

Union of India and Others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Harchand Singh Batth, Advocate
for the petitioner.

Rajbir Sehrawat, J. (Oral)

The present petition has been filed under Article 226/227 of the Constitution of India, for issuance of a writ in the nature of *certiorari* for quashing of the order/ discharge certificate dated 31.08.2020 (Annexure P-16) passed by the respondents, whereby, the petitioner has been pressurized to seek voluntary retirement by using undue coercion, under pressure, forcibly, illegally, against Rules and without the consent of the petitioner.

The record itself shows that the petitioner had sought voluntary retirement by making an application dated 30.04.2020. That request was accepted by the competent authority vide order dated 11.05.2020 and the petitioner stood voluntarily retired from the service w.e.f. 31.08.2020. The impugned discharge order is only the consequential order, based upon the acceptance of the voluntary retirement of the petitioner.

Although the petitioner has sought to dispute the application moved by him for voluntary retirement on the ground that the same was scribed by another person, however, as an answer to the specific query put

by the Court, the petitioner has not even disputed the fact that the said

application contains the signatures of the petitioner. There is nothing on record to show that the said signatures were obtained by anybody under a coercion or by force. Although, there are certain assertions made in the legal notice, to this effect, however, the legal notices sent by the petitioner are the documents subsequent to the discharge of the petitioner from the post. Hence, this Court has no ground to assume that the petitioner was ever forced by any authority to sign the application meant for voluntary retirement.

In view of the above, finding no merit in the present petition, the same is dismissed.

8th September, 2021

Sonia Puri

(RAJBIR SEHRAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No