

CWP-18494-2021

Date of decision: 16.09.2021

Gurjit Singh

.....Petitioner

versus

The Registrar, Cooperative Societies,
Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Tahaf Bains, Advocate
for the petitioner.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioner has invoked the jurisdiction of this Court in terms of Articles 226/227 of the Constitution of India seeking prayer by way of writ in the nature of *certiorari* for quashing the impugned charge sheet dated 03.02.2020 (Annexure P-3) whereby disciplinary proceedings initiated by the respondent No.2 against the petitioner have lapsed on account of his retirement in the absence of any provision under the PUNCOFED Service Rules as well as the Punjab Civil Services (Punishment & Appeal) Rules and as per the

registered bye-laws of PUNCOFED as the service rendered by the petitioner is non-pensionable and hence even the provisions of Rule 2.2 (b) of Punjab Civil Services Rules Volume II Chapter II would not be applicable to him as the cord between the employer and employee has been snapped pursuant to the retirement of the petitioner from service on 30.04.2020.

Notice of motion to the official respondents.

Mr. Shireesh Gupta, Senior DAG, Punjab puts in appearance and accepts notice on behalf of the respondents-State.

Copy supplied.

Heard.

Upon hearing learned counsel of both the sides and on perusal of the records, the present petition stands disposed off with the directions to the official respondents to consider the legal notice dated 29.07.2021 (Annexure P-5) as representation moved by the petitioner and decide the same in accordance with law, by passing a speaking order preferably within a period of one month from the date of receipt of the certified copy of this order.

If found entitled and if there is no impediment for the release of payment, the same be granted to the petitioner without any delay, as per law.

The petition stands disposed off accordingly.

16.09.2021

Neha

**(FATEH DEEP SINGH)
JUDGE**

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