

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

CWP No. 13981 of 1997

DATE OF DECISION: 21.04.2022

Bhim Singh Sangwan

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : None for the petitioner.

Mr. R. K. S. Brar, Addl. AG, Haryana.

ARUN MONGA, J. (ORAL)

Petition was filed in the year 1997, *inter alia*, seeking quashing of impugned order dated 08.09.1997 (conveyed to the petitioner on 09.09.1997) Annexure P-7, whereby petitioner has been ordered to retire prematurely at the age of 52 years.

Petition was admitted on 13.01.1998.

When called out for hearing, there is no representation on behalf of the petitioner. It seems that by sheer effluxion of time and pendency of the writ petition for more than 25 years before this Court, either it has been rendered infructuous or even otherwise the petitioner seems to have lost interest in pursuing the same.

In any case, it appears that even on merits, claim of the petitioner is not admissible in view of the following stand taken in para 6 of reply in preliminary objections, which is reproduced herein for ready reference:

“6. That in the reply to para No.6 of the writ petition, it is submitted that before inflicting punishment vide orders dated 20.04.95, a charge sheet under rule 8 was served upon the petitioner by the answering respondent vide memorandum No.4/65/94-PH(I) dated 6.10.94 that he did not obey the

order issued by the higher authorities and violated the provision of Rule 3(i), (ii), and (iii) of the Haryana Govt. Employee (Conduct) Rules 1966. A copy of the orders dated 20.4.95, vide which Govt. stopped his one annual grade increment without cumulative effect, is Annexed at R-I. In this order of punishment, it has clearly been mentioned that Sh.B.S.Sangwan failed to submit any defence reply to the aforesaid charge-sheet till the date of issue of orders. A copy of the Memorial dated 28.12.95 as stated to have been submitted to his Excellency Governor of Haryana (Annexure P-4 of the writ petition) was sent to Financial Commissioner and Secretary to Govt. Haryana PWD P.H. Department by the Secretary to Governor, Haryana, vide his letter No.HRB-GA-3(1)-96/297 dated 17.1.96 for necessary action. No report/comments were called for. As per instructions regarding memorial, the petitioner could submit the memorial against the order dated 20.4.95, within six months. But he submitted the same on 28.12.95. As no comments were called by the Secretary to Governor Haryana, the memorial was filed.”

Be that as it may, writ petition is disposed of with liberty to file an appropriate application in case any cause of action still survives.

(ARUN MONGA)
JUDGE

April 21, 2022
Shalini

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