

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

CWP-7139-2022

Date of Decision: 05.04.2022

Mander Singh

..... Petitioner

Versus

Punjab State Powre Corporation Ltd. and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Virinder Kumar Shukla, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

The prayer of the petitioner in the present petition is for quashing the impugned charge-sheet dated 27.05.2015 (Annexure P-2) and declaring the action of the respondents for not releasing the pensionary benefits of the petitioner as illegal and directing the respondents to release the pensionary benefits of the petitioner.

Learned counsel for the petitioner argues that the pensionary benefits of the petitioner have been withheld by the respondent-Corporation on account of pendency of the impugned charge-sheet against him dated 27.05.2015 (Annexure P-2) and despite the fact that approximately seven years have elapsed but the said charge-sheet is kept pending by the respondents on one pretext or the other, which action of the respondents is

causing prejudice to the petitioner.

Learned counsel for the petitioner submits that though the challenge in the present petition is to the impugned charge-sheet dated 27.05.2015 (Annexure P-5) but the petitioner will be satisfied at this stage in case an appropriate direction is issued to the respondent-Corporation to conclude the disciplinary proceedings pending against the petitioner in a time bound manner. Learned counsel for the petitioner further submits that as releasing of the provisional pension to the petitioner cannot be withheld by the respondent-Corporation even during the pendency of the disciplinary proceedings against him, therefore, the respondents be also directed to consider the said aspect.

Notice of motion.

At this stage, on the asking of the Court, Ms. Anju Kaushik Sharma, DAG, Punjab, accepts notice on behalf of the State and submits that in case the proceedings pending against the petitioner in respect of the impugned charge-sheet dated 27.05.2015 (Annexure P-2) have not been concluded so far by the authorities concerned, the same will be finalized by the authorities concerned within a period of four months from the date of receipt of the copy of this order, with the cooperation of the petitioner. Learned State counsel further submits that even prayer of the petitioner made hereinbefore with regard to release of provisional pension to him will also be considered by the authorities concerned under this order.

Learned counsel for the petitioner submits that keeping in view the submissions made by learned State counsel, no further grievance of the petitioner survives in the present petition at this stage and the same may kindly be disposed of as such.

Disposed of in the above terms.

05.04.2022

Apurva

(HARSIMRAN SINGH SETHI)
JUDGE

- 1. Whether speaking/reasoned : Yes
- 2. Whether reportable : No