

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(120)

CM-8045-CWP-2022 in/and

CWP-9134-2022

Date of Decision : May 24, 2022

Gurmej Kainth

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.K. Arora, Advocate, for the applicant-petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-8045-CWP-2022

Present application has been filed for preponing the date of hearing of the main petition i.e. CWP-9134-2022, which stands adjourned to 13.07.2022.

Notice of the application to the counsel opposite.

Mr. Navdeep Chhabra, learned Deputy Advocate General, Punjab, who is present in the Court, accepts notice on behalf of respondents-State and raises no objection for the grant of prayer as raised in the present application.

Keeping in view the above, application is allowed and the hearing of the main petition i.e. CWP-9134-2022 is preponed from 13.07.2022 to today.

CWP-9134-2022

Learned counsel for the petitioner argues that in the present case, the challenge is to the order dated 09.11.2021 (Annexure P-13) and order dated 11.12.2021 (Annexure P-14) by which, the punishment of 10% cut in pension for a period of five years has been imposed. Learned counsel for the petitioner submits that the retiral benefits for which the petitioner is entitled for after the retirement, have also not been released though the disciplinary proceedings, due to which the same were withheld, have already culminated. Learned counsel for the petitioner further submits that against the order dated 11.12.2021 (Annexure P-14), the petitioner has filed a review/appeal before the Government, a copy of which has been attached as Annexure P-15 dated 28.01.2022 and the petitioner will be satisfied, at this stage in case a time bound direction is issued to the State to decide the same by passing an appropriate speaking order.

Notice of motion.

Mr. Navdeep Chhabra, learned Deputy Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondents.

Learned counsel for the respondents submits that in case, the appeal dated 28.01.2022 (Annexure P-15) has already not been decided by the authorities concerned, appropriate order on the said appeal will be passed within a period of eight weeks from the receipt of copy of this order. Learned counsel for the respondents further submits that appropriate consideration will be given and appropriate order will also be passed with regard to the release of the withheld pensionary benefits, if the same have also not been released so far, in case there is no impediment, within

aforesaid period.

Learned counsel for the petitioner submits that keeping in view the statement of the learned counsel for the respondents, no further grievance of the petitioner survives in the present petition at this stage and the same may kindly be disposed of having been not pressed any further.

Ordered accordingly.

May 24, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No