

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

207

CWP-25207-2015

Date of Decision :07.07.2022

Gurmeet Singh**..Petitioner**

Versus

State of Punjab and others**...Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Deepak Aggarwal, Advocate for the petitioner.

Ms. Anju Sharma Kaushik, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance of the petitioner is that the petitioner retired from service on attaining the age of superannuation on 30.09.2010 and, thereafter, was convicted in a criminal case registered against him by the competent Court of law on 29.08.2012 and keeping in view the said conviction, respondents have withheld 100% pension of the petitioner though, the conviction is under challenge before this Court in CRA-S-2361-SB-2012.

Learned counsel for the petitioner submits that in the facts and circumstances of the present case, Rule 2.2 (a) of the Punjab Civil Services Rules is applicable, which rule has already been interpreted by this Court more than once, according to which, 100% pension of a retiree cannot be withheld if a pensioner is convicted in a criminal case. Reliance is being placed on the judgment of this Court in **CWP-22174-2015** titled as

Darshan Singh vs. State of Punjab and others decided on 19.12.2018.

Prayer of the learned counsel for the petitioner is that the present petition may also be disposed off in terms of **Darshan Singh's case (Supra)**.

Learned State counsel does not dispute that the question of law raised in the present petition is covered by the judgment of this Court in **Darshan Singh's case (Supra)**.

Keeping in view the above, the present writ petition is disposed off in terms of the order passed by this Court in **Darshan Singh's case (Supra)**.

July 07, 2022

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No