

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(Sr. No. 202)

(1)

CWP No. 19531 of 2018
Date of Decision : 10.10.2022

Suresh Kumar (Retd.)

...Petitioner

Versus

State of Haryana and others

...Respondents

(2)

CWP No. 14182 of 2019

Suresh Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Parmod Chauhan, Advocate for the petitioner.

Ms. Aditi Sharma, Advocate for
Mr. C.S. Bakhshi, Addl. A.G., Haryana.

Mr. Padamkant Dwivedi, Advocate
for respondents No. 2 and 3.

Harsimran Singh Sethi J. (Oral)

By this common order, the writ petitions, details of which have been given above, are being disposed of as both the writ petitions involve the same question of law on similar facts.

Learned counsel for the petitioner argues that there is no rule, which empowers the respondent-Haryana Agro Industries Corporation

Limited to continue with the disciplinary proceedings after an employee had attained the age of superannuation and retired and in the present case, though the charge-sheet was served upon the petitioner 10 days before retirement, but actually order of punishment, which has been impugned in the present petition, was passed after the retirement hence, the claim of the petitioner is covered in his favour keeping in view the settled principle of law settled by this Court in Shaminder Singh case.

Learned counsel for the respondents very fairly submits that keeping in view the order passed by this Court in Shaminder(supra), the question of law raised in the present petition is covered in favour of the petitioner and they do not oppose the prayer of the petitioner for disposing of the present petition in terms of Shaminder Singh's case (supra)

Ordered accordingly.

A photocopy of this order be placed on the file of another connected case.

October 10, 2022
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No