

[Neutral Citation No. 2023:PHHC:064068]

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

**COCP-75-2023 (O&M)
Date of decision: 04.05.2023**

Rajinder Kumar Sharma**...Petitioner**

Versus

State of Haryana and others**...Respondents****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Ms. Poorva Gupta, Advocate for
Mr. Akshit Aggarwal, Advocate
for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner alleges violation of interim order dated 09.05.2022, passed by this Court in CWP-4524-2021, vide which, it was directed that the retiral dues of the petitioner, who was to retire on 31.05.2022, shall not be withheld on the ground of pendency of the writ petition before this Court.

As per affidavit filed by the District Food Civil Supplies and Consumer Affairs, Bhuna Kendra, which is on record, it is stated that the petitioner was posted as Sub-Inspector in the District Food and Supplies Controller, Fatehabad and was later on promoted as Inspector on 23.12.2011. It is further stated in paragraph no. 8 of the affidavit that in an inquiry, the petitioner was held guilty for the shortage of stock of wheat of 565 quintols in 2017-18 and proceedings under Rule 7 of the Haryana Civil Services (Punishment & Appeals) Rules, 2016 were initiated against him. Similarly, in subsequent years of 2019-20 and 2020-21, a huge shortage of

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stock of wheat was found against the petitioner and a total loss of Rs. 2,05,18,917/- of caused due to the act of the petitioner.

It is further stated that in terms of Rule 69 of the Haryana Civil Services (Rules) 2016, the competent authority may withhold whole or part of cash equivalent of leave salary in lieu of unutilized earned leave.

In view of the above, no case of any willful disobedience is made out against the respondents.

Accordingly, the present petition is dismissed.

Rule stands discharged.

04.05.2023
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No