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

CWP-2522-2023 (O&M)

Date of decision: 08.02.2023

Harbaksh Singh Rosha

....Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Ms. Hema Kakkar, Advocate for the petitioner

Mr. Vishnav Gandhi, DAG, Punjab

ANIL KSHETARPAL, J (Oral)

The petitioner prays for issuance of a writ in the nature of Certiorari to quash the communication dated 17.03.2021. The Executive Engineer, Public Health and Sanitation, has declined to accede to the petitioner's request for grant of the benefit of leave encashment, annual increment, gratuity and pension on the ground that he was dismissed from service on 04.08.1991.

Learned counsel representing the petitioner, while drawing the attention of the Court to Annexure P-2, submits that the charge-sheet was dropped by the Government, after considering it.

This Court has considered the submissions of learned counsel representing the petitioner.

On careful perusal of the file, it is evident that the charge-sheet served vide Government letter no.21/05/1992-B92(4)/719 dated 08.02.1993 was later on dropped. Whereas as per the order dated 04.08.1997 (Annexure P-1), annexed with the writ petition, the petitioner,

after a departmental inquiry, was dismissed from service w.e.f 15.03.1991. The office memo number of the charge-sheet as well as its date are different as compared to the order Annexure P-2 dated 20.11.1998. In the order dated 04.08.1997, the chargsheet was issued vide office memo no.64790 dated 20.12.1991 whereas the charge-sheet which has been dropped was bearing a different number as mentioned earlier.

Keeping in view the aforesaid facts, no ground to issue the writ, as prayed for, is made out.

Hence, dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

08.02.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE