

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

132

2023:PHHC:067278

**CWP-9945-2023  
Date of decision: 10.05.2023**

**ARVIND KUMAR**

**..Petitioner**

**Versus**

**STATE OF PUNJAB AND OTHERS**

**..Respondents**

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

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

Mr. Vikas Arora, AAG, Punjab.

**ANIL KSHETARPAL, J(Oral)**

1. The petitioner prays for the issuance of a writ in the nature of certiorari to quash order of the Director, Public Instructions dated 20.03.2023, (Annexure P-21). The request of the petitioner to grant him permission to retire prematurely has been rejected while recalling the previous order passed by the District Education Officer on the basis of the instructions issued by the previous incumbent to the office of Director Public Instructions.

2. On 08.05.2023, the learned counsel representing the State of Punjab was directed to get the complete instructions.

3. On instructions from Ms. Jyoti Soni, Assistant Director, Sh. Vikas Arora, Assistant Advocate General, Punjab, submits that Director School Education (Secondary) has made a impugned decision only to relieve the government of burden of paying three months salary. He submits that, apart from the question of liability of the salary, the competent authority has no objection to the petitioner's request for his premature retirement.

4. The learned counsel representing the petitioner submits that he has no objection if the aforesaid amount representing three months' salary is deducted from the amount payable to the petitioner which is still with the department.
5. Keeping in view the consensus arrived at, the writ petition is disposed of while observing that the petitioner shall be treated to have been prematurely retired with effect from 24.08.2022, subject to the adjustment of three months salary as undertaken by the learned counsel representing the State.
6. Needless to observe that the respondent shall release the consequential benefits to the petitioner within a period of next three months, positively, from today.
7. All the pending miscellaneous applications, if any, are also disposed of.

May 10<sup>th</sup>, 2023

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(ANIL KSHETARPAL)  
JUDGE

*Whether speaking/reasoned* : *Yes/No*  
*Whether reportable* : *Yes/No*