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

**CWP No.10102 of 2023 (O&M)
Date of Decision: 10.05.2023**

VIR BHAN

.....Petitioner

Vs

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. V.P. Sangwan, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

[1]. The petitioner has preferred this writ petition for the issuance of an appropriate writ in the nature of certiorari. The grievance of the petitioner is that the gratuity of the petitioner has been wrongly withheld in a discriminatory manner.

[2]. The petitioner was appointed as a Junior Engineer with the respondent-Department on 12.04.1984. On 02.08.2005, an FIR No.12 was registered for the offences under Sections 409, 420, 467, 468, 471 and 120-B IPC at Police Station State Vigilance Bureau, Hisar. The trial of the said case is still pending after framing of charges.

[3]. During pendency of the criminal trial, co-accused Ram

Kishan Sangwan, SDE (now retired) and Rajesh Sharma, SDE were promoted despite the fact that they are also facing the trial in the aforesaid FIR.

[4]. At this stage, learned counsel for the petitioner submits that the petitioner has already been retired on 31.05.2020 and in respect of release of his gratuity, he has filed a representation-cum-legal notice dated 03.11.2020. He further submits that this writ petition may be disposed of by directing the respondent No.3 to take note of the pending legal notice and decide the same in accordance with law within a time bound manner.

[5]. Notice of motion.

[6]. On asking of the Court, Ms. Palika Monga, D.A.G., Haryana accepts notice on behalf of the respondents.

[7]. In view of above, this petition is disposed of with a direction to the respondent No.3 to decide the pending representation-cum-legal notice dated 03.11.2020 in accordance with law, preferably within a period one month from the date of receipt of certified copy of this order.

May 10, 2023
Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No