

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

CWP-2727-2021

DECIDED ON: 22.08.2023

ISHWAR SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. S.K. Daaria, Advocate for the petitioner.

Mr. Kapil Bansal, DAG Punjab.

Mr. Arvind Seth, Advocate for respondents No.2 & 3.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Article 226 & 227 of the Constitution of India for issuance of a writ in the nature of mandamus for directing the respondents to conclude the departmental inquiry regarding the charge-sheet/memo No. EA-3-2018/17967 dated 05.09.2018 with a further prayer for release the salary for the period of December 2015 to till today as well other consequential benefits with interest @ 24 % per annum.

2. In the said inquiry, Mr. Arvind Seth, Advocate for respondents No.2 & 3 submits that the said charge-sheet dated 05.09.2018 has been dropped on 26.04.2023, therefore, the present petition has been rendered infructuous.

3. However, learned counsel for the petitioner seeks direction qua the release of salary for the period commencing from December 2015 to till date, as the petitioner has not been given single penny since then and also not being allowed to join the duty even after dropping of the charge-sheet in question.

4. Counter with the said submission, learned counsel for respondents

No.2 & 3 states that the petitioner is facing another charge-sheet and referred to Annexure R-3 dated 31.01.2023, wherein another charge-sheet already stands issued to the petitioner and the allegations of willful absence from the duty since 01.11.2015 have been served upon him.

5. In the light of the above, the question with regard to release of his salary as well as challenging charge-sheet dated 31.01.2023 (Annexure R-3) are left open for the petitioner to disburse at the appropriate stage.
6. Petition stands dispose of, as having been rendered infructuous.

22.08.2023

Meenu

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No