

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

CWP-18005-2017

Date of decision : 30.01.2023

Ranjit Singh

..... Petitioner

versus

The Punjab State Power Corporation and another.... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. A.K. Walia, Advocate
for the petitioner.

Mr. Devaki Anand Sullar, Advocate and
Mr. Gurmandeep S. Sullar, Advocate
for the respondents.

PANKAJ JAIN, J. (Oral)

Present writ petition has been filed seeking a writ in the nature of certiorari for quashing the impugned order dated 20.08.2014 placed at Annexure P-4, whereby a punishment of 10% pension cut for a period of two years was passed against the petitioner and subsequent orders dated 18.01.2016 and 27.10.2016.

2. Petitioner who was working as Assistant Executive Engineer was issued a show cause notice dated 15.01.2013. A departmental inquiry was held. Admittedly, vide inquiry placed on record at Annexure P-2, the petitioner stands exonerated. It was categorically held that the allegations levelled are not proved, yet without recording any dissenting note Annexure P-4 has been passed imposing punishment of 10% cut in pension for a period of two years. The petitioner stands retired on 31.01.2013. Since the show cause notice was issued for minor punishment, no charge sheet was served upon the petitioner.

3. Resultantly, in the absence of there being a dissenting note and the same having been put to the employee, the action of the respondent-authorities cannot be sustained. Therefore, Annexure P-4 is ordered to be quashed. However, liberty is granted to the respondent-authorities to proceed afresh in case they feel that they do not concur with the exoneration awarded by the Inquiry Officer. Apart from that the authorities shall also consider the claim of the petitioner w.r.t. belated release of leaves encashment and gratuity and other terminal benefits and award of interest thereon.

4. Disposed off accordingly.

5. The necessary exercise be concluded within a period of eight weeks from today.

(PANKAJ JAIN)
JUDGE

30.01.2023

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Whether speaking/reasoned : Yes

Whether Reportable : No