

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 21477 of 2018 (O&M)

Date of Decision: 01.05.2023

Virender Kumar

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Krishan Singh Dadwal, Advocate
for the petitioner(s).

Mr. R.K.Kapoor, Additional Advocate General,
Punjab, for the respondent No.1 to 4.

Respondent No.5 ex parte.

Ms. Vaishali Thakur, Advocate
for Mr. Vivek K. Thakur, Advocate
for the respondent No.6.

Anil Kshetarpal, J.

1. The petitioner is a retired employee of the State Government. While praying for the issuance of the writ in the nature of certiorari, he assails the correctness of the charge sheet issued on 16.07.2018 on the ground that such charge sheet is barred under Rule 2.2 (b) of Chapter-II, Volume-II of the Punjab Civil Services Rules.

2. It is contended by the learned counsel representing the petitioner that the aforesaid rule provides that in the absence of pecuniary loss to the government, no order of cut on the pension of a retired employee can be ordered.

petitioner can file an application before the Disciplinary Authority in this regard. At the first instance, let the Disciplinary Authority considers the petitioner's request for dropping the charges in according with the Rule 2.2 (b) of Chapter-II, Volume-II of the Punjab Civil Services Rules. If such an application is filed, the same shall be decided by the Disciplinary Authority within a period of one month, positively, from the date of filing of an application.

4. With the observations made above, the present writ petition is disposed of.

5. The miscellaneous application(s) pending, if any, shall also stand disposed of.

(Anil Kshetarpal)
Judge

May 01, 2023
"DK"

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No