

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 24402 of 2022

Date of Decision: 24.01.2023

Sarabjit Singh Kandhari

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Ms. Satpreet Grewal Kapila, Advocate
for the petitioner(s).

Mr. D.K.Singal, Additional Advocate General,
Punjab, for the respondents.

Anil Kshetarpal, J.

1. The petitioner, though retired from the service on 31.12.2019, is facing prosecution in FIR No. 124 dated 22.07.2016 under the Prevention of Corruption Act, 1988 and the various other provisions of the Indian Penal Code, 1860.

2. On being arrested in the FIR, the petitioner was suspended but subsequently, reinstated pending inquiry. The petitioner is already getting the provisional pension as per the rules. However, his gratuity has been withheld pending judicial proceedings, whereas, the payment of leave encashment is being processed. The petitioner prays for issuance of a writ in the nature of mandamus to direct the respondents to release him the gratuity and leave encashment.

3. The learned counsel representing the petitioner, though

requested, has failed to draw the attention of the Court to any rule which

entitles him to such a direction in the facts of this case.

4. Keeping in view the aforesaid facts, no ground is made out to issue the writ. Hence, the present writ petition is dismissed.

(Anil Kshetarpal)
Judge

January 24, 2023
“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No