

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

109

CM-12050-CWP-2023 IN/AND
CWP-26626-2021(O&M)
Decided on : 31.07.2023

Vikram Singh

. . . Petitioner

Versus

State of Haryana and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT Mr. Anurag Goyal, Advocate and
Mr. Shivam Malik, Advocate
for the petitioner.

Mr. Pankaj Middha, Addl. AG, Haryana.

Mr. Sachin Gupta, Advocate for
Mr. Gaurav Khera, Advocate
for respondent No. 4.

HARSIMRAN SINGH SETHI, J. (ORAL)

CM-12050-CWP-2023

1. The present application has been filed for pre-poning the hearing of the present petition which now stands adjourned to 04.09.2023 keeping in view the facts and circumstances mentioned in the application.
2. Notice in the application.
3. Mr. Pankaj Middha, Addl. AG, Haryana accepts notice and raises no objection to the present application.
4. Application is allowed and the main petition is taken up for hearing today itself.

CWP-26626-2021

1. In the present petition, the prayer of the petitioner is that the petitioner had submitted his resignation on 17.02.2020 for acceptance alongwith an undertaking that the petitioner is ready to pay the bond money of Rs.25 lakh.
2. Learned counsel for the petitioner further submits that during the period when the petitioner was in employment, certain dues to the petitioner are still pending to be paid by the respondent and the respondents need to be directed that the said issues should also be settled at the earliest.
3. Learned counsel for the petitioner further submits that keeping in view the order passed by this Court, the petitioner has already deposited Rs.25 lakh which was to be deposited under the bond money, hence, there is no impediment in accepting the resignation of the petitioner.
4. Learned State counsel submits that though, the petitioner has deposited the bond money but the said money was to be deposited alongwith interest, hence, keeping in view the factual position mentioned in paragraph 14 of the reply dated 24.08.2022, the interest amounting to Rs.5,85,616/- is yet to be paid by the petitioner and till the petitioner deposits the said amount, his resignation cannot be accepted.
6. Learned counsel for the petitioner submits that within a period of next 7 days, the petitioner will deposit the amount of Rs.5,85,616/- and the respondents be directed to accept his resignation by passing appropriate order and conveying the same to the petitioner alongwith the NOC and experience certificate as the petitioner intends to migrate to Australia.
7. Learned counsel for respondent No. 4 submits that within a period of

10 days of deposit of amount of Rs.5,85,616/- by the petitioner, an appropriate order accepting the resignation of the petitioner alongwith No Objection Certificate and the experience certificate will be provided to the petitioner.

8. As far as the grievance of the petitioner that financial benefits which are due to the petitioner on account of the service which the petitioner had already rendered with the respondents, the respondents are directed to consider the said claim of the petitioner and pass appropriate order within a period of 2 months from the receipt of the copy of this order, so as to decide what amount the petitioner is entitled for including the salary and other benefits including ACP for the period the petitioner has already served the respondent and after the passing of the speaking order, in case any amount is found due to the petitioner, the same be released within a further period of 4 weeks.

9. The petition is disposed of with the above terms.

(HARSIMRAN SINGH SETHI)
JUDGE

31.07.2023
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Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No