

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

128

CWP-23412-2023

Date of decision: 16.10.2023

SATVINDER SINGH

...Petitioner

VERSUS

**PUNJAB STATE COOPERATIVE AGRICULTURAL  
DEVELOPMENT BANK LTD. CHANDIGARH AND ANOTHER**

...Respondents

**CORAM : HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Manjit Singh Sarao, Advocate  
for the petitioner.

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**DEEPAK MANCHANDA, J.(ORAL)**

By way of the present writ petition, petitioner is seeking quashing of order dated 16.04.2022 (Annexure P-1) passed by respondent No.2 dismissing the petitioner from service with retrospective effect i.e. w.ef. 31.01.2019 and further for issuance of appropriate directions to the respondents to pay the retiral dues withheld, without any authority of law or without passing any orders for withholding the same after his dismissal from service and further directing the respondents to pay interest @ 18% on illegally withheld retiral dues including Death-cum-retirement Gratuity, Leave Encashment and Employer's Share towards Provident Fund.

Perusal of the writ petition would reveal that earlier, the petitioner had filed CWP No.24312 of 2021 praying therein for issuance of a writ of mandamus directing the respondents to pay the retiral dues of the petitioner. The said writ petition came up for hearing on July 19, 2022, when learned counsel appearing for the petitioner had submitted that against the

order of dismissal of petitioner from service, statutory appeal has been filed by the petitioner and therefore, he sought to withdraw the writ petition with liberty to the petitioner to pursue his statutory appeal and raise all available pleas, including that of his entitlement of retiral benefits along with interest etc. before the said authority. Accordingly, the said writ petition was dismissed as withdrawn with liberty, as aforementioned, vide order dated 19.07.2022.

The present writ petition has been filed on 10.10.2023 and even as per paras 30 and 35 of the writ petition, the statutory appeal filed by the petitioner before the Board of Directors of the Respondent-Bank against the order of dismissal has not been decided by the statutory authority, till the date of filing of this writ petition.

In view of the position stated above and the fact that against the order of dismissal, the petitioner has already preferred statutory appeal and although the same has been heard, but no orders stated to have been passed/conveyed to the petitioner. As such, at this stage, the present writ petition is not maintainable, being premature. However, petitioner is always at liberty to challenge the order so passed against him, in the statutory appeal filed by him against his dismissal, is so advised.

Hence the present writ petition is dismissed.

October 16, 2023

*nisha-II*

(DEEPAK MANCHANDA)  
JUDGE

*Whether reasoned/speaking?*  
*Whether reportable?*

*Yes/No*  
*Yes/No*