

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

117

CWP-24618-2023 (O&M)
Decided on : 02.11.2023

GIAN CHAND

. . .Petitioners

Versus

STATE OF HARYANA AND OTHERS

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Karanvir Singh Khehar, Advocate for the petitioner.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. Learned counsel for the petitioner argues that the petitioner's pension to the tune of 50% has been withheld by the respondents for life as punishment vide impugned order against which the petitioner preferred an appeal raising a ground that the same is contrary to the rules governing the service as well as the settled principle of law settled by the Division Bench of this Court in CWP No.568 of 2013 titled as '*Jagdish Mitter v. Central Administrative Tribunal and others*', decided on 19.05.2014 that the pension cannot be stopped for life as well as the fact that he has been discriminated keeping in view the fact that the similarly situated employees have not been imposed any punishment.

2. Learned counsel for the petitioner submits that the appeal of the petitioner has been dismissed with one line that the same has been considered and rejected, which act is totally arbitrary and illegal and contrary to the settled principle of law settled by the Division Bench of this Court in CWP No.16957 of 2004 titled as '*Raj Kumar v. State of Haryana and another*', decided on 18.05.2007.

3. Notice of motion.
4. Mr. Pankaj Middha, learned Addl. Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondents.
5. Learned counsel for the respondents submits that he has instructions to submit that the impugned order dated 04.09.2023 (Annexure P-11) passed in appeal may kindly be treated as withdrawn qua petitioner only with liberty to pass a fresh order on the appeal of the petitioner by considering all the submission made therein as noticed in the present writ petition.
6. Learned counsel for the petitioner submits that keeping in view the statement of learned counsel for the respondents, the present writ petition may kindly be disposed of having been not pressed any further.
7. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

02.11.2023

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Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*