

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

104

CWP-24657-2023

Date of Decision :-03.11.2023

Bhupinder Kumar**...Petitioner**

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, Addl. A.G. Haryana.

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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 vs. 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 vs. 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to submit that the impugned order dated 04.09.2023 (Annexure P-11) passed in appeal may kindly be treated as withdrawn qua petitioner only with liberty to pass a fresh order on the appeal of the petitioner by considering all the submission made therein as noticed in the present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

November 03, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No