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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-4120-1996 (O&M)
Date of Decision: 10.01.2024

Darshana Rani

. . . . Petitioner

Vs.

State of Punjab and another

. . . . Respondents

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CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

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Present: None for the petitioner.

Mr. Vishnav Gandhi, DAG, Punjab.

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SANJEEV PRAKASH SHARMA, J.(Oral)

1. No one appears for the petitioner.
2. The petitioner was already given employment. The issue left for determination was the monetary benefits of the deceased husband of the petitioner.
3. Reply was filed by the respondents, and it has been informed that ex gratia in this case could not be given because the husband of the petitioner was found to have embezzled Government money amounting to Rs.31642.44. He was placed under suspension and an FIR was registered against him, also a charge sheet was filed by the Ludhiana Police on 19.08.1988.
4. A writ petition was preferred by the husband of the petitioner challenging the suspension wherein the order was passed on 27.11.990 directing to conclude the proceedings initiated against him within a period of six months and if the same are not concluded, the petitioner's husband would stand reinstated.

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5. The petitioner's husband was therefore reinstated on 24.05.1991, without prejudice to the Court's decision. The petitioner's husband withdrew the amount from treasury relating to the suspension period without sanction from the competent authority, and when this irregularity came to notice, another inquiry was initiated and the Civil Surgeon, Amritsar directed him to deposit the amount back to the Government treasury. He was again caught red handed in a vigilance inquiry accepting illegal gratification, and was again placed under suspension.
6. While the matter was still pending, he died on 19.06.1993. The amount of ex gratia and leave encashment etc. was paid after deducting the embezzled amount and the amount wrongfully withdrawn by the petitioner's husband. Thus, nothing further is required to be paid to the petitioner's husband.
7. Having noticed the aforesaid reply by the State, this Court finds that the petitioner's claim for further payment does not survive.
8. Writ Petition is ***dismissed*** accordingly.
9. All pending applications also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

January 10, 2024
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1. Whether speaking/reasoned? ***Yes/No***
2. Whether reportable? ***Yes/No***

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