

2024:PHHC:041235

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

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CWP-6890-2024
Date of decision: 21.03.2024

DARSHAN SINGH

...PETITIONER

Vs.

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Puneet Kumar Bansal, Advocate for
 Mr. Karan Singla, Advocate
 for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J (ORAL)

1.

The petitioner through instant petition under Articles 226 of the Constitution of India is seeking direction to respondents to release his gratuity and pension.
2.

Mr. Puneet Kumar Bansal, Advocate appearing for the petitioner submits that petitioner has retired on attaining the age of superannuation on 31.05.2022. During his service career, FIR No. 116 dated 11.12.2018 under Section 19 and 21 of the POCSO Act, 2012 was registered at Police Station Rangad Nangal against him. The police after completing investigation, filed cancellation report dated 09.04.2020. The said report is pending before trial Court. The respondent has released provisional pension and further withheld gratuity which is contrary to Service Rules.
3.

Notice of motion.
4.

Mr. Aman Dhir, DAG, Punjab accepts notice on behalf of respondent-State.

5. Learned State counsel submits that it is factually correct that police has filed cancellation report in the aforesaid FIR and matter is pending before trial court. He further submits that Competent Authority would look into grievance of the petitioner in the light of applicable Service Rules and if no other case is found pending against him, the gratuity and full pension in accordance with law would be released.
6. Learned counsel for the petitioner agrees to the aforesaid statement.
7. In the wake of statement of both sides, the present petition stands disposed of.

21.03.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No