



CWP-9811-2020

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(250)

CWP-9811-2020

Date of Decision : October 15, 2024

Ashok Kumar

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rakesh Sobti, Advocate, for the petitioner.

Mr. Arun Gupta, Deputy Advocate General, Punjab.

Mr. Neeraj Khanna, Advocate, for respondent No.3.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Learned counsel for the petitioner submits that the question of law raised in the present writ petition has already been decided by the Coordinate Bench of this Court while passing order in ***CWP No.341 of 2024 titled as Balwinder Singh vs. The State of Punjab and others, decided on 07.03.2024 and other connected cases*** wherein also, the charge-sheet was issued after retirement, which is contrary to the Rule 2.2 (b) of the Punjab Civil Services Rules Volume I and the same has already been set aside and in the present petition also, the petitioner retired in the year 2015 and the charge-sheet was served upon him in the year 2019 and that too with regard to an allegation which related to a period which is more than four years prior to the date when the charge-sheet was issued hence, the present writ petition be also allowed in terms of ***Balwinder Singh's case (supra)***.

**CWP-9811-2020****2**

2. Learned counsel for the respondents has not been able to dispute the fact that keeping in view the Rule 2.2 (b) of the Punjab Civil Services Rules Volume I, the charge-sheet could not have been issued to the petitioner after retirement and that too with regard to an allegation which is more than four years old on the date when the charge-sheet was issued.

3. Keeping in view the above, the present writ petition is allowed in terms of the order passed in ***Balwinder Singh's case (supra)***.

October 15, 2024*harsha***(HARSIMRAN SINGH SETHI)****JUDGE**

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