

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 122

CWP No.9295 of 2024
Date of Decision: 25.04.2024

Dr.Jyoti Kumar

..... PETITIONER(S)

VERSUS

State of Haryana and others

..... RESPONDENT(S)

...

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

...

PRESENT: - Mr. Johan Kumar, Advocate for the petitioner.

Ms.Tanushree Gupta, DAG Haryana.

. . .

Tribhuvan Dahiya, J (Oral)

This petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the order dated 29.07.2022, Annexure P-6, whereby the petitioner was relieved from service on superannuation, with the condition to release the pensionary benefits subject to the final outcome of FIR No.07, dated 02.08.2018, registered under Sections 34 and 409 IPC, P.S. Khanpur Kalan, Sonapat against him. Now the investigating agency has filed cancellation report in the case, and the retiral benefits need to be released.

2. Learned counsel for the petitioner submits that grievance raised herein is pending for appropriate decision before respondent No.1. At this stage, the petitioner will be satisfied in case respondent No.1 is directed to decide his pending legal notice, dated 23.03.2024, Annexure P-7, in a specified period.

3. Notice of motion.

4. Ms.Tanushree Gupta, DAG Haryana, accepts notice and submits that the pending legal notice will be decided by respondent No.1

expeditiously.

5. In view thereof, without going into the merits of the case, the petition is disposed of with a direction to respondent No.1/Additional Chief Secretary, Medical Education & Research Department, to consider and decide the pending legal notice, dated 23.03.2024, by passing a speaking order in accordance with law, within a period of two months from receiving a certified copy of this order.

6. In case the order is not passed within the stipulated period, the officer concerned shall pay costs of ₹25,000 to the petitioner.

(Tribhuvan Dahiya)
Judge

April 25, 2024
Meenu

<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>