



CWP-16908-2021 (O&M)

-1-

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

235

CWP-16908-2021 (O&M)
Date of decision: 08.05.2024

Nachhatar Singh

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Nitesh Singla, Advocate for the petitioner.

Mr. Arun Gupta, DAG, Punjab.

AMAN CHAUDHARY, J. (Oral)

1. The prayer made in the present petition is for quashing the charge sheet dated 23.03.2021 and all subsequent proceedings including order dated 23.06.2021 and to release the pensionary benefits.

2. Learned counsel contends that the charge-sheet was issued 6 days before the retirement of the petitioner on 23.03.2021 with regard to an incident pertaining to the year 2003. On the same set of allegations and the common witnesses as in the departmental enquiry, a criminal case was registered, wherein he, vide order dated 12.12.2014, Annexure P-2, was acquitted. Another of his co-accused in the said case, has not been issued any charge-sheet. His retiral dues have been withheld only on account of pendency of the aforesaid charge-sheet, which the respondents are not deciding. He relies on the judgment of the Hon'ble Supreme Court in P.V. Mahadevan vs. M.D., Tamil Nadu Housing Board, Civil Appeal No. 4901 of 2005 arising out of SLP(C) No. 26757 of 2004, decided on 08.08.2005 as also the judgments of this Court



CWP-16908-2021 (O&M)

-2-

in Shiv Kumar Goel vs. State of Haryana and another, 2007(1) SCT 739, Walaiti Ram Gupta vs. Punjab State, CWP-6702-1996, decided on 29.08.1997 and Lakhdev Singh vs. State of Punjab, CWP-4033-2000, decided on 07.11.2000. He, at this stage, on instructions, prays that the petitioner would be satisfied, in case a time bound direction is given to the respondents to decide the charge-sheet, keeping in view the aforesaid judgments.

3. Learned State counsel has no objection to the limited prayer made.
4. In view of the above and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents to decide the charge-sheet issued against the petitioner considering the aforesaid judgments, within a period of four months. In case the proceedings culminate in his favour and if found entitled, there being no other impediment, the retiral benefits be released forthwith.

(AMAN CHAUDHARY)
JUDGE

08.05.2024
Hemant

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