



CWP-17964-2021 (O&M)

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230 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-17964-2021 (O&M)
Date of decision: 13.11.2024

SURINDER NATH

...PETITIONER

VERSUS

STATE OF PUNJAB AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Rahul Garg, Advocate for the petitioner.

Mr. Surya Kumar, AAG, Punjab.

Mr. Maninder Singh Saini, Advocate
for respondent No.2.

NAMIT KUMAR ,J. (ORAL)

1. The instant petition has been filed by the petitioner under Articles 226/227 of the Constitution of India, seeking a writ in the nature of certiorari, setting aside the charge-sheet dated 28.12.2017 (Annexure P-1) and order dated 13.09.2018 (Annexure P-3) for holding an enquiry alongwith subsequent proceedings and for setting aside the order dated 29.06.2021 (Annexure P-5) passed by respondent-PUNSUP, whereby disciplinary proceedings against the petitioner has been initiated after retirement of the petitioner. Further a writ of mandamus has been sought for directing the respondents to release the retiral benefits in the shape of leave encashment along with interest on the delayed payment.

2. On the last date of hearing, i.e. 30.08.2024, the following order was passed:-

*"Learned counsel for the petitioner submits that
the present case is squarely covered by the judgment dated
30.09.2019 passed in CWP-5254 of 2005 titled as 'Nirmal*

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Singh Vs. Punjab State Civil Supplies Corporation Limited (PUNSUP) and other connected cases. He further submits that the respondents have already filed a recovery suit against the petitioner.

Learned counsel for respondent No.2 seeks an adjournment to get instructions with regard to the claim of the petitioner for releasing his retiral dues.

Adjourned to 13.11.2024."

3. Learned counsel for respondent No.2, on instructions from Sh. Amandeep Singh, PUNSUP, submits that the gratuity amount of the petitioner has already been released vide order dated 01.02.2021.

4. Learned counsel for the petitioner submits that apart from gratuity, other retiral benefits have not been released, for which he may be given liberty to make a detailed representation to respondent No.2 and the same may be considered in a time bound manner.

5. If any such representation is submitted by the petitioner within a period of one month from today, the same shall be considered and disposed of by respondent No.2 by passing a speaking order within a period of three months thereafter.

6. Disposed of in the above terms.

13.11.2024

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(NAMIT KUMAR)
JUDGE

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