



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(117)

CWP No. 15556 of 2024
Date of Decision : 10.07.2024

Parminder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Puneet Sharma, Advocate for the petitioner.
Mr. Swapan Shorey, Deputy Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. Learned counsel for the petitioner submits that though the petitioner submitted a request for voluntarily retirement vide letter dated 13.03.2024 (Annexure P-1), which was accepted by the respondents after passage of one day vide letter dated 14.03.2024 (Annexure P-4) but, the petitioner sought to withdraw the same thereafter vide application dated 08.04.2024 (Annexure P-5) and under the rules governing the voluntarily retirement, the respondents have the jurisdiction to allow the petitioner to withdraw the said request even after its acceptance but, the respondents rather than considering the claim of the petitioner under the relevant provisions, have rejected the application of the petitioner dated 08.04.2024 (Annexure P-5) to allow him to withdraw his representation



by way of letter No. Estb.-4/2024/8545 dated 25.04.2024 (Annexure P-7) only on the ground that the request of the petitioner for voluntarily retirement already stood accepted before the said application was withdrawn.

2. Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the Legal Notice dated 12.06.2024 (Annexure P-11) but the same is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

3. Notice of motion.

4. On the asking of the Court, Mr. Swapan Shorey, Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the Legal Notice dated 12.06.2024 (Annexure P-11) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of eight weeks from the date of the receipt of certified copy of this order by passing an appropriate speaking order. Learned counsel further submits that in case, it is found feasible to accept the claim of the petitioner, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioner in the speaking order to be passed and will be conveyed to the petitioner.



5. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

6. Ordered accordingly.

July 10, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No