

CWP-21682-2019 (O&M) and
other connected matters

2024:PHHC:155644



1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(Sr. No. 327)

(1) CWP-21682-2019 (O&M)
Date of Decision : 25.11.2024

Sarbpreet Singh ...Petitioner

Versus

Punjab Vidhan Sabha Secretariat and others ...Respondents

(2) CWP-7206-2020 (O&M)

Sarbpreet Singh ...Petitioner

Versus

Punjab Vidhan Sabha Secretariat and others ...Respondents

(3) CWP-7472-2020 (O&M)

Sarbpreet Singh ...Petitioner

Versus

Punjab Vidhan Sabha Secretariat and others ...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. K.S. Dadwal, Advocate for the petitioner.

Mr. Charanpreet Singh, Assistant Advocate General, Punjab.



Harsimran Singh Sethi J. (Oral)

1. In the present petitions, the petitioner is raising multiple grievances. The first grievance of the petitioner is that petitioner was placed under suspension vide order dated 26.07.2019 (Annexure P-9) but he has not been paid his subsistence allowance, which is causing prejudice. In the other two petitions, the charge-sheets which have been issued to the petitioner, have been impugned.

2. As of now, the petitioner has already been reinstated in service on 17.06.2021 and is working, hence, the respondents are directed to decide the claim of the petitioner for the release of his subsistence allowance in case, the same has already not been released to him. In case, the subsistence allowance has not been paid to him, the same be paid to him within a period of eight weeks of the receipt of copy of this order along with interest @ 6% per annum. The respondents will also decide the claim of enhanced subsistence allowance after expiry of six months in case the petitioner was not at fault for being kept under suspension or for completing the disciplinary proceedings under Rule 8/10 of the Punjab Civil Services (Punishment and Appeal) Rules, 1970 against him.

3. In the other two petitions, the challenge is to the charge-sheets which have been issued to the petitioner. It may be noticed that this Court, as of now cannot pass any order merely on the apprehension of the petitioner that the respondents are biased against him. Further, there is no order causing prejudice to the petitioner in the disciplinary proceedings has been passed so far. Hence, it will be appropriate that the respondents can proceed against the



petitioner in accordance with law by giving him due opportunity to defend himself in the disciplinary proceedings and thereafter, pass appropriate order. In case, any order is passed in the disciplinary proceedings which causes prejudice to the petitioner, the same will not be given effect for a period of seven days.

- 4. Present petitions are disposed of in above terms.
- 5. Pending miscellaneous application, if any, also stands disposed of.
- 6. A photocopy of this order be placed on the file of connected cases.

November 25, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No