



CWP-8405-2015 (O&M)

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

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CWP-8405-2015 (O&M)

Date of Decision :17.09.2024

Amar Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. K.S. Boparai, Advocate with
Ms. Archana Vashisth, Advocate for the petitioner.

Mr. T.P.S. Chawla, Senior DAG, Punjab.

Mr. G.S. Bal, Senior Advocate with
Mr. Laxman Chaudhary, Advocate for respondents No.2 & 3.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner submits that the petitioner has already retired from service of respondent-Punjab School Education Board but after his retirement, his gratuity was withheld due to the pendency of FIR No.12 dated 14.06.2002 registered under Sections 420, 467, 468, 471, 120-B of the IPC and Sections 13(1) (a) (c) (d) and (e) and 13 (2) of the Prevention of Corruption Act, 1988 and even after conclusion of the trial qua the said FIR, wherein, the petitioner was convicted, which order is under challenge in the appeal, the petitioner is entitled for the release of the gratuity by the respondents-Board but no order is being passed by the respondents qua the said relief as being claimed.

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Learned Senior counsel for the respondent-Board submits that claim of the petitioner will be considered keeping in view the facts of the present case and appropriate decision will be taken as to whether the petitioner is entitled for the release of gratuity or not, which order will be passed within a period of 08 weeks from the date of receipt of copy of this order.

Learned Senior counsel for the respondent-Board further submits that in case, after passing the speaking order, it is found that petitioner is entitled for the release of his gratuity, the same will be released to him within a period of 02 weeks otherwise, due reasons for not granting the said relief to the petitioner will be mentioned in the speaking order so passed, which order will be conveyed to the petitioner for his information and necessary action.

Learned counsel for the petitioner submits that keeping in view the statement made by learned Senior counsel for respondents-Board, present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

Civil miscellaneous application pending, if any, is also disposed of.

September 17, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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