



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-25246-2024
Decided on : 01.10.2024

Sanjay Kumar, retired ESI No.117/GRP
... Petitioner(s)
Versus
State of Haryana and others
... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Dr. Suresh Kumar Redhu, Advocate
for the petitioner(s).
Mr. Kiran Pal Singh, AAG, Haryana.

SANJAY VASHISTH, J. (Oral)

1. Learned counsel for the petitioner *inter alia* contends that the petitioner while serving in the Police Department, was compulsory retired on 07.04.2023. Departmental inquiry was conducted on 18.07.2024, and after completion of the inquiry, while petitioner was already getting monthly pension, show cause notices were served by the Superintendent of Police, Railways, Haryana, Ambala Cantt (respondent No.4 herein), proposing therein withholding of the pension.
2. Learned counsel for the petitioner submits that although reply to the said show cause notice(s) has already been filed, no decision has been taken thereon. He further submits that if the decision to stoppage the pension is finalized against the petitioner, it would result in significant hardship, as his only son is seriously ill with a kidney ailment and is under going treatment at HIIMS, Dera Bassi. Besides, his wife is also suffering



from a serious disease. Therefore, given the potential situation where the payment of the pension might be stopped, it would be difficult for him to survive and look after his family members.

Thus, learned counsel submits that at this stage, he would be satisfied, if the writ petition is disposed of with a direction to sympathetically consider the reply filed by the petitioner.

3. Taking note of the facts and circumstances as submitted by learned counsel for the petitioner and after perusing the relevant material on record, present writ petition is disposed of with a direction to the concerned respondent-authorities to take a final decision, after considering the reply filed by the petitioner, sympathetically, along with the service period rendered by him in the Police Department.

However, it is made clear that in case the decision is taken against the petitioner, he would be given two months period to challenge the same, in accordance with law and for the said period, the payment of pension would not be stopped.

Writ petition stands **disposed of** accordingly.

(SANJAY VASHISTH)
JUDGE

October 01, 2024

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No