



CWP No.29215 of 2024 (O&M) 1

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

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**CWP No.29215 of 2024 (O&M)
Date of Decision:05.11.2024**

Banarsi Das

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sukhandeep Singh, Advocate,
for the petitioner.

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

HARSIMRAN SINGH SETHI, J. (Oral)

1. Learned counsel for the petitioner submits that the petitioner has been given a charge-sheet dated 23.01.2014 (Annexure P-3), copy of which was never supplied to the petitioner at any given point of time however, keeping in view the rules governing the service, no charge-sheet can be issued to the petitioner at this stage of his life and the petitioner has already mentioned that at this stage of his life, he cannot be issued a charge-sheet and hence the said proceedings are liable to be dropped and the petitioner be released his pensionary benefit, which became admissible to him after his retirement on 30.08.2010. Learned counsel for the petitioner further submits that the respondents are not considering his reply and are withholding his

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pensionary benefit which is causing prejudice, hence the respondents be directed to pass appropriate order after considering his reply to the charge-sheet so that, the situation is clear as to whether, the petitioner is to face the proceedings or the same are to be dropped in view of his reply.

2. Learned State counsel submits that appropriate decision, by considering the reply filed by the petitioner in view of the charge-sheet dated 23.01.2014, will be taken within a period of four weeks of the receipt of the copy of this order and the decision so taken by the competent authority/the punishing authority, the same will be implemented and informed to the petitioner.

3. 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 with liberty to the petitioner to avail appropriate remedy in case any order causing prejudice is passed and in case after the decision, nothing remains against the petitioner, appropriate relief qua the release of the retirement benefit be also extended to the petitioner.

4. Ordered accordingly.

5. Pending application(s), if any, also stand(s) disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

November 05, 2024

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Whether speaking : Yes/No

Whether reportable : Yes/No