



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

CWP-1245-2025 (O & M)
Date of Decision: 29.05.2025

Ravi Mahajan

.....Petitioner(s)

Versus

Haryana Tourism Corporation Ltd. and another

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. K.K. Gupta, Advocates,
for the petitioner.

Ms. Rajni Gupta, Advocate,
for respondent No.1.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226 and 227 of the Constitution of India is seeking setting aside of Memorandum of charge sheet dated 30.09.2024 (Annexure P-5).

2. On 20.01.2025, the following order was passed:-

“1. Learned counsel for the petitioner inter alia contends that respondent has issued impugned charge sheet dated 30.09.2024 on the date of his retirement. The charge sheet has been issued at the behest of respondent No.2-Chief Accounts Officer. The petitioner did not clear travelling bill of respondent No.2 as she was not on official tour still claimed travelling allowance. He further pointed out to respondent that she was wrongly withholding claim of different employees. It is wrongly mentioned in the impugned notice that he was



responsible to monitor performance of CA Firm. The payment to CA Firm was made by Higher Authorities.

2. *Notice of motion returnable for **20.02.2025**.*

3. *Notice re: Stay.*

4. *Ms. Rajni Gupta, Addl. AG, Haryana who on advance notice is present in Court, accepts notice on behalf of the respondent-State and waives service.”*

3. Reply has been filed by respondent which is taken on record.

Registry is directed to tag the same at appropriate place.

4. Ms. Rajni Gupta submits that respondent has withheld gratuity and leave encashment and no other benefit would be withheld.

5. From the perusal of charge sheet, reply as well as arguments of Ms. Rajni Gupta, Advocate for respondent No.1, it is evident that CA Firm was paid a sum of Rs.52,00,000/- for preparing books of accounts. The parties are conceding that CA Firm is maintaining books of accounts and also preparing final balance sheet. The payment to CA Firm was approved upto the level of Managing Director.

6. Considering the aforesaid facts and keeping in mind that petitioner is not eligible to pension, the respondents are directed to release 50% of gratuity and leave encashment within 1 month from today. The remaining amount may be released on the conclusion of departmental proceedings.

7. As confirmed by Ms. Rajni Gupta, Inquiry Officer has already been appointed. The petitioner would join proceedings and shall not seek adjournment on one or another ground. If he cooperates with the Inquiry Officer, the Inquiry Officer shall conclude its inquiry within 4 months from today.

8. Disposed of in above terms.
9. Pending application(s), if any shall also stand disposed of.

29.05.2025
shivani

(JAGMOHAN BANSAL)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes
No