

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201(3 cases)+278+286

CWP-9325-2024
Date of Decision: 27.01.2025

Hardeep Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

With

Sr. No.	Case No.	Petitioner	Respondent(s)
2.	CWP-14871-2024	Hardeep Singh	State of Haryana and another
3.	CWP-15276-2024	Ravinder Kumar	State of Haryana and others
4.	CWP-17662-2023	Bishan Pal	State of Haryana and others
5.	CWP-10538-2024	Shyam Sunder Sharma and others	State of Haryana and others

Present: - Mr. Johan Kumar, Advocate for the petitioner(s)
Mr. Saurabh Mohunta, Deputy Advocate General, Haryana
Mr. Padam Kant Dwivedi, Advocate and
Ms. Mansi, Advocate
for respondent-Haryana Agro Industries Corporation Limited

JAGMOHAN BANSAL, J. (Oral)

1. As common issues are involved in the captioned petitions, with the consent of both sides, the same are hereby disposed of by this common order. For the sake of brevity and convenience, facts are borrowed from CWP-9325-2024.
2. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of: -



- i. charge sheet dated 15.07.2016 (Annexure P-5) which remained pending till the date of his superannuation;
- ii. charge sheets dated 28.08.2023 (Annexure P-8 to P-10) which were issued just three days prior to date of his superannuation;
- iii. charge sheets dated 11.03.2024 (Annexures P-19 & P-20) which were served after his superannuation; and
- iv. all consequential proceedings arising out of the aforesaid charge sheets.

3. The petitioner claims that he has retired from the office of Haryana Agro Industries Corporation Limited (for short 'HAICL') on attaining the age of superannuation. The respondent either at the verge of his retirement or thereafter issued him charge sheets which are bad in the eye of law and contrary to judgment dated 26.04.2024 passed by this Court in ***Laxmi Chand v. Haryana Agro Industries Corporation Limited and another, CWP No.18655 of 2022*** and judgment dated 19.07.2022 passed in ***Jawahar Singh v. State of Haryana and others, CWP No.26606 of 2021***.

4. Mr. Padam Kant Dwivedi, Advocate for HAICL does not dispute the fact that this Court vide judgment dated 30.09.2019 (Annexure P-23) passed in ***Shaminder Singh v. The Punjab Agro Industries Corporation and another, CWP No.25369 of 2018; Laxmi Chand (supra); and Jawahar Singh (supra)***, has held that charge sheet cannot be issued to an employee of HAICL or Punjab Agro Industries Corporation Limited after his/her retirement as there is no provision which permits to continue departmental proceedings after the retirement of an employee.

**CWP-9325-2024 & connected cases****-3-**

5. This Court in afore-cited judgments has held that as soon as an employee retires, the relationship of employer-employee snaps and thereafter, no departmental proceeding can continue against the employee.

6. In the wake of afore-cited judgments, the present petitions deserve to be allowed and accordingly allowed. The impugned charge sheets/orders are hereby set aside with consequential relief.

(JAGMOHAN BANSAL)
JUDGE

27.01.2025*Mohit Kumar*

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