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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-10730-CWP-2025 in/and
CWP-20172-2021 (O&M)
Date of Decision : 30-07-2025

NARESH KUMAR

.....Petitioner

VERSUS

U.T. ADMINISTRATION THROUGH THE SECRETARY AND
OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Puneet Verma, Advocate
for the petitioner.

Mr. Rohit Kaushik, Advocate
for the respondent-U.T., Chandigarh.

Ms. Anupal, Addl. A.G., Haryana

Mr. A.P.S Sekhon, Advocate
For respondent No.6.

HARSIMRAN SINGH SETHI, J. (Oral)

CM-10730-CWP-2025

This is an application for placing on record relevant documents as Annexure P-14 to Annexure P-16 and exemption from filing certified copies of the same.

Keeping in view the contents mentioned in the applications, the same is allowed. Annexure P-14 to Annexure P-16 are taken on record subject to all just exceptions.

Exempted from filing certified copies of Annexure P-14 to Annexure P-16.

CWP-20172-2021 (O&M)

1. Learned counsel for the petitioner argues that though House No.I/857-B, Sector-43-B, Chandigarh allotted to the petitioner was ib 31.07.2009 and cancelled vide letter dated 11.11.2014 (Annexure P-2) on the ground of subletting and the petitioner has been imposed the penal charges for the same, but the similarly situated employees, whose houses were also cancelled on the same grounds, no such charges have been imposed and the petitioner has been discriminated.

2. Learned counsel for the petitioner submits that the petitioner intends to approach the respondents by filing an appropriate representation giving the details of the employees in whose favour, the allotment, though cancelled but no penal charges were imposed and the respondents be directed to pass an appropriate speaking order as to why, discriminatory action has been taken against the petitioner to impose the penal charges rather than not charging any penal rent from the similarly situated employees against whom the allotment was also cancelled on the ground of subletting especially, without giving any opportunity of hearing to the petitioner.

3. Learned counsel for the respondents submits that in case, any representation is received at the hands of the petitioner, the same will be decided within a period of 8 weeks from the receipt of copy of the order by passing an appropriate speaking order dealing with all the contentions raised therein and in case, it is found that the claim of the petitioner is meritorious, necessary relief will be granted otherwise due reasons will be mentioned for

not accepting the claim of the petitioner, which will duly be conveyed to the petitioner for his information and necessary action.

4. Keeping in view the fact that under the orders of the Court, a sum of Rs.7,00,000/- has been deducted from the pensionary benefits, which are lying deposited with the respondent-Chandigarh Administration and in case, a order is passed in favour of the petitioner, the said amount be released to the petitioner otherwise, the State will be within its jurisdiction to realise the said amount keeping in view the penalty imposed in case, the same is upheld while deciding the representation.

5. Learned counsel for the petitioner submits that in case, the order passed on the representation causes any prejudice, liberty will be given to the petitioner to avail appropriate remedy in accordance with the law.

6. Learned counsel for the petitioner submits that keeping in view the statement of the learned counsel for the respondents, the present petition may kindly be disposed of as having been not pressed any further with the liberty aforesaid.

7. Ordered accordingly.

8. Pending application, if any, also stands disposed of.

30-07-2025
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES
Whether reportable: NO