



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-24676-2021
Date of decision: 22.04.2025

LAXMI NARAYAN

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. V.P. Sangwan, Advocate
for the petitioner.

Ms. Anu Malika, Advocate for
Mr. Harneet Singh Oberoi, Advocate
for respondent No.2.

Mr. Vivek Saini, Addl. A.G. Haryana.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present writ petition is for quashing the action of the respondents whereby pension of the petitioner had been wrongly withheld in violation of the Rules.

2. Learned Counsel appearing on behalf of the petitioner submits that the petitioner joined as Clerk on 29.10.1992 in the Department of Public Health Engineering at Kurukshetra and served at different stations before his superannuation on 31.12.2020 as an Assistant. He contends that the petitioner was wrongly charge-sheeted soon before his superannuation

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without any fault. He contends that pursuant to the notice dated 12.06.2020 proposing to initiate action against the petitioner under Rule 7 of the Haryana Civil Services (Punishment & Appeal) Rules, 1987, the petitioner submitted his explanation and defence, yet, vide enquiry report dated 14.01.2021, the charges levelled against the petitioner were held to be proved and the petitioner was held responsible for the loss allegedly caused to the State exchequer in the form of penal interest. A notice dated 17.02.2021 was thereafter served upon the petitioner and the petitioner submitted a representation but no action was taken and the request of the petitioner was not considered and his pensionary benefits stand withheld.

3. During the course of hearing, learned Additional Advocate General, Haryana has referred to the communication sent by the office of the Executive Engineer, Public Health Engineering Division, Charkhi Dadri bearing Memo No. 16315 dated 10.10.2024 to the effect that the charge sheet stands decided in favour of the retiree (the petitioner herein). Further, the Principal Accountant General has further recommended that all retiral benefits be released in favour of the official by making a special reference to the present case as well. The office order dated 17.09.2024 endorsement dated 30.09.2024 has also been appended. He thus contends that since the pensionary benefits of the petitioner had been withheld on account of the pending departmental proceedings and the charge sheet having already been dropped, there is no impediment in release of the said benefits. He contends that appropriate instructions have already been issued to the office of the Accountant General, Haryana to do the needful.

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4. Counsel further submits on oral instructions that the said benefits already stand released to the petitioner alongwith interest.

5. Learned Counsel appearing on behalf of the petitioner pleads lack of instructions.

6. Be that as it may, the statement made by the learned Additional Advocate General, Haryana at bar is accepted.

7. The present writ petition is disposed of as having been rendered infructuous. Liberty is, however, granted to the petitioner to seek revival of the present writ petition in the event the aforesaid statement is found to be factually incorrect.

APRIL 22, 2025
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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