



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

CWP-27499-2025

Date of decision: 16.09.2025

Vishal Gupta

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Ganesh Ashok Khemka, Advocate, (Through VC)
Ms. Samya Shangari, Advocate,
for the petitioner.

KULDEEP TIWARI, J. (Oral)

1. The petitioner, by way of instant writ petition, under Articles 226/227 of the Constitution of India, seeks quashing of the charge-sheet dated 03.12.2024 (Annexure P-4), which has been served upon him, post his retirement, in an apparent violation of Rule 2.2(b) of the Punjab Civil Services Rules, Volume II, 1970.

2. Learned counsel for the petitioner submits that the impugned charge-sheet has been issued, qua a decade old incident. He further submits that, though, the petitioner has filed a detailed reply to the impugned charge-sheet, no final decision thereon has been taken till date. Rather, on account of pendency thereof, retiral benefits are not being released in favour of the petitioner, thereby severely impacting his rights. He places reliance upon an order dated 10.07.2025, drawn in **CWP-16150-2022 (Sukhdev Singh Vs. State of Punjab and others)**, to submit that, a Coordinate Bench of this Court, in an identical situation, taking into consideration the very object of the Litigation Policy of the State of Punjab, allowed the writ petition, and saddled the State with costs of Rs.1,00,000/-.

3. Notice of motion.



4. Mr. Sahil R. Bakshi, learned Assistant Advocate General, Punjab, accepts notice on behalf of respondents No.1 and 2, and Mr. Vivek Sharma, Advocate, along with Mr. Gaurav Rana, Advocate, accepts notice on behalf of respondents No.3 and 4, and waives service.
5. At the outset, learned State counsel fairly submits that he has no objection, in case, a Mandamus is issued upon the authorities concerned to take the charge-sheet to its logical end, most expeditiously.
6. In view of the position narrated in the preceding paragraphs, the instant writ petition is **disposed of**, with a Mandamus upon the disciplinary authority, which is seized of the matter, to take a final decision on the reply submitted by the petitioner to the impugned charge-sheet, within a period of four weeks from the date of passing of the order, after granting him due opportunity of hearing.
7. Needless to assert that before arriving at any decision, the authorities concerned shall take into consideration the submissions made in the reply (supra), as well as in the petition at hand. Further, in the event, the disciplinary authority concerned comes to a conclusion that the impugned charge-sheet is liable to be dropped, the requisite retiral benefits shall be disbursed to the petitioner, forthwith.

(KULDEEP TIWARI)
JUDGE

16.09.2025
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No