



CWP-8457-2026

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

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CWP-8457-2026

Date of Decision: 12.05.2026

Kulbhushan Yadav

...Petitioner(s)

Versus

The State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. P.L. Verma, Advocate for the petitioner

Mr. Amit Sahni, Additional Advocate General, Haryana

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed seeking a writ of *mandamus* directing the respondents to release pension and other retiral benefits to the petitioner along with interest from the due date, i.e., 01.10.2025.

2. Learned State counsel has received instructions from the Department vide memo dated 11.05.2026, which is retained on the case file as Annexure 'A'. The instructions are to the following effect:

In this regard, it is submitted that the petitioner, while serving as Block Education Officer, was served with a charge-sheet under Rule 7 of the Haryana Civil Services (Punishment and Appeal) Rules, 2016 vide Memo No. 5/132-2021 HRG-I(1), and disciplinary proceedings are still pending against him. That while issuing the charge-sheet dated 30.05.2025, the name "Kulbhushan Sharma" was inadvertently mentioned instead of "Kulbhushan Yadav". However, the concerned petitioner/employee is one and



the same, as the employee ID (055594) mentioned in the charge-sheet remains the same and correctly pertains to the petitioner. In response to the said charge-sheet, the petitioner submitted his reply through E-mail on 10.07.2025. Thereafter, to certain the factual position, Sh. P.K. Goyal, Retired Chief Engineer from the panel of worthy C. S Haryana was appointed vide order dated 19.08.2025 to conduct regular Inquiry into the present matter. The petitioner duly participated and attended the entire inquiry proceedings. Subsequently, the Inquiry Officer submitted the inquiry report on 12.11.2025. After that the findings of the inquiry officer report was forwarded to the petitioner as per provision made in Sub Rule (C) (1) HCS (Punishment and appeal) rule, 2016 in which comments upon the inquiry report were sought from the petitioner vide communication dated 11.12.2025. In compliance thereof, the petitioner submitted his comments through e-mail on 12.12.2025. Thus, the petitioner followed all the requisite procedures/processes in the present matter.

It is respectfully submitted that the disciplinary proceedings initiated against the petitioner under Rule 7 are under process, and the relevant file has been submitted to the competent authority for final decision.

Therefore, since disciplinary proceedings under Rule 7 of the Haryana Civil Services (Punishment and Appeal) Rules, 2016 are pending against the petitioner, he is not entitled to release of full retiral benefits including gratuity, commuted value of pension and leave encashment at this stage. Only provisional pension, as per rules, is admissible.

3. Learned State counsel further submits that the due benefits, as admissible, will be released to the petitioner after conclusion of the disciplinary inquiry proceedings against him.

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4. Learned counsel for the petitioner is not in a position to dispute the facts aforementioned; however, his submission is that the said chargesheet is not in the petitioner's name as it has been issued to Kulbhushan Sharma.

5. It remains undisputed that disciplinary proceedings pursuant to the chargesheet in question remain inconclusive. The chargesheet was issued to employee ID no.055594, which undisputedly pertains to the petitioner, and he has also submitted his comments on the inquiry report vide email dated 12.12.2025. The said chargesheet or the inquiry proceedings are not under challenge before this Court.

6. Accordingly, there is no ground to entertain the petition, and it stands disposed of with liberty to the petitioner to file a representation before the respondents within a period of two weeks from today for release of provisional pension. In case any such representation is filed, the same shall be duly considered and decided by respondent no.2/Director, School Education Department, within two months of receiving the same.

7. In case the order is not passed within the stipulated period, the officer concerned shall pay costs of ₹50,000 to the petitioner.

(TRIBHUVAN DAHIYA)
JUDGE

12.05.2026*Payal*

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No