



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

CWP-8989-2026

Date of decision: 07.04.2026

Vijay Kumar Dahiya

....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Parveen Chauhan, Advocate
for the petitioner.

Mr. Divyansh Shukla, Advocate for
Mr. Sukhdeep Parmar, Advocate
for respondents No.2 & 3.

HARPREET SINGH BRAR, J. (ORAL)

1. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for setting aside the disciplinary proceedings which has been vitiated as same is not only conducted in a biased manner but also without proper adoption of the HCS (Punishment & Appeal), Rules, 2016. Further, for issuance of a writ in the nature of *mandamus* directing respondent No.2 to release the payment of gratuity, compute pension and other consequential benefits along with 18% interest per annum from the date of retirement as Deputy Manager (QC) i.e. 31.10.2023 which has been withheld wrongly by the respondent-Corporation.

2. Learned counsel for the petitioner at the outset submits that the petitioner filed a statutory appeal dated 12.01.2026 (Annexure P-10), however, the same has not been decided. Further, the Punishing Authority is the member of the appellate body.

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3. Learned counsel for respondents No.2 & 3 submits that the appeal of the petitioner would be decided by the Appellate Authority in which the Punishing Authority will not participate in any manner.

4. In view of the limited controversy involved in the present petition, without commenting further on the merits of the case, the present petition is disposed of accordingly, at this stage and this Court in the interest of justice, directed the Appellate Authority to consider and decide the statutory appeal of the petitioner on merits within a period of four months from the date of receipt of certified copy of this order. However, the petitioner would also be at liberty to cite any case law or written arguments and the same shall be considered by the Appellate Authority.

5. Needless to say, the Punishing Authority i.e. the Managing Director will not participate in any manner when the appeal of the petitioner is heard by the Executive Council.

(HARPREET SINGH BRAR)
JUDGE

07.04.2026*Neha*

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