



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

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**CWP-14574-2026 (O&M)
Date of decision: 26.05.2026**

Anoop Kumar Gachli

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Johan Kumar, Advocate
for the petitioner.

Mr. Vikrant Pamboo, Addl. A.G., Haryana.

Mr. Padamkant Dwivedi, Advocate
and Mr. Siddharth Gupta, Advocate
for respondents No.2 and 3.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondents to reinstate the petitioner back in service and consequently allow him to retire after attaining the age of superannuation w.e.f. 30.04.2025. Further a writ of *mandamus* has been sought, directing the respondents to release all the retiral benefits admissible to the petitioner @ 18% per annum from the due date till its actual realization and to decide the representation dated 17.09.2025 (Annexure P-3) filed by the petitioner in a time-bound manner.

2. On 19.05.2026, the following order was passed:-



Learned counsel for respondent Nos. 2 and 3- Corporation submits that several charge-sheets were issued to the petitioner and this Court, in CWP-24744-2025 titled as Anoop Kumar Gachli vs. State of Haryana and others, quashed those charge-sheets on the ground that the same had been issued by invoking the Haryana Civil Services (Punishment and Appeal) Rules, 2016, which have not been adopted till date. However, while quashing the chargesheets, one charge-sheet pertaining to the year 2003 and another relating to the period 2012-14 were also quashed.

Learned counsel for the petitioner has drawn the attention of this Court to the fact that one of the charge-sheets was issued on 05.08.2003, whereas the impugned order came to be passed on 29.04.2025. Thus, respondent Nos. 2 and 3 took about 22 years to conclude the disciplinary proceedings, which is contrary to the settled law laid down by the Hon'ble Supreme Court in State of Punjab and others vs. Chaman Lal Goyal 1995 (2) SCC 570 and the judgment rendered by this Court in CWP-9606-2022 titled as Khairati Lal Versus State of Haryana and others, decided on 13.10.2025.

In view of the above, the Managing Director of respondent No. 3- Corporation is directed to file an affidavit explaining the delay in concluding the disciplinary proceedings initiated pursuant to the charge-sheet served upon the petitioner on 05.08.2003 and to issue necessary directions in terms of the guidelines issued by this Court in Khairati Lal (supra). He is also directed to fix responsibility upon the concerned official(s) responsible for keeping the disciplinary proceedings pending for more than two decades.



Adjourned to 26.05.2026.

In case the affidavit, in terms of this order, is not filed on or before the next date of hearing, the Managing Director of respondent No. 3- Corporation shall remain present in Court on the date fixed at 10:00 AM.

3. In compliance thereof, an affidavit of Rohit Yadav, Managing Director, Haryana Agro Industries Corporation Limited, Panchkula, has been filed in the Court today, which is taken on record. The Registry is directed to tag the same at an appropriate place.

4. Learned counsel for the respondent/Corporation submits that necessary directions in terms of the judgment rendered by this Court in **CWP-9606-2022**, titled as ***Khairati Lal vs State of Haryana and others***, decided on **13.10.2025**, would be issued by the Board of Directors. Learned counsel for the respondent/Corporation further submits that the representation of the petitioner dated 19.09.2025 (Annexure P-3) would be considered and a speaking order would be passed by respondent No.3 after affording an opportunity of hearing to the petitioner.

5. Learned counsel for the petitioner submits that he is satisfied with the stand taken by learned counsel for respondent/Corporation and has no objection, in case a direction is issued to the respondent No.3 for time-bound consideration and decision of the representation dated 19.09.2025 (Annexure P-3) filed by the petitioner by passing a speaking order.



6. Therefore, in view of the submissions made by learned counsel for the respondents/Corporation, the respondent No.3 is directed to consider the representation dated 19.09.2025 (Annexure P-3) of the petitioner and pass a speaking order, after affording an opportunity of hearing to the petitioner, within a period of 08 weeks from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioner. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted forthwith by respondent No.3.

7. Disposed of, accordingly.

(HARPREET SINGH BRAR)
JUDGE

26.05.2026
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No