



**CM-3721-LPA-2026 in/and
LPA-1521-2026**

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

(103)

**CM-3721-LPA-2026 in/and
LPA-1521-2026
Date of Decision : May 26, 2026**

Ravi Sarangal

.. Appellant

Versus

Union of India and others

.. Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Ravi Sarangal- appellant in person.

HARSIMRAN SINGH SETHI J. (ORAL)

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Present application has been filed seeking condonation of delay of 38 days in filing the appeal.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the application is allowed. Delay of 38 days in filing the appeal is condoned.

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1. In the present Letters Patent Appeal, the challenge is to the order dated 11.03.2026 passed by the learned Single Judge in CWP No.7172 of 2026 by which, the claim of the petitioner (appellant herein) for the grant of compensation for the mental agony suffered due to malicious prosecution while he was in service, has been dismissed on the following grounds:

i) Firstly that the relief being sought therein was never raised



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before the learned Central Administrative Tribunal, when service benefits were granted upon exoneration.

ii) Secondly that the writ petition was filed in 2026 after the expiry of two years from his retirement when he was already exonerated in 2020.

iii) Thirdly, since purely disputed question of facts were being raised before the learned Single Judge.

2. Appellant, who appears in person before this Court, submits that once, he was exonerated of the allegations by the Enquiry Officer, respondent-Department prosecuted him maliciously without there being any evidence proceeded against him so as to ruin his career but no action has been taken against the officer concerned who served charge-sheet upon him and when the appellant approached the learned Single Judge for the grant of compensation, his writ petition has been dismissed on the ground that he was exonerated in the year 2020 and retired in the year 2024 and had filed the writ petition after a period of two years of his retirement, which is delayed and therefore, no relief can be granted, which is incorrect fact as disciplinary proceedings were dropped in the year 2025 after his retirement in the year 2024.

3. Appellant further submits that denial of the relief, in the facts and circumstances of the present case on the ground of delay is not correct especially when the findings have been recorded by the learned Single Judge that the petition involved disputed question of facts.

4. Appellant contends that once the learned Single Judge did not decide the issue on merits, no finding qua the delay could have been given



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so as to cause prejudice especially when, the appellant has an option to avail remedy before the appropriate forum and such an observation of the learned Single Judge will come in his way to support the department.

5. The appellant further submits that the impugned orders have been passed by the learned Single Judge on incorrect facts as the disciplinary proceedings remained in operation till his retirement and same were only closed after his retirement and there was no delay in approaching the Court for the redressal of the grievance.

6. We have heard the appellant, who appears in person and have gone through the record with his able assistance.

7. The appellant submits that certain observations made by the learned Single Judge qua the delay will cause prejudice to him even if, he approaches an appropriate forum to claim compensation for his malicious prosecution and therefore, such observation needs to be clarified/expunged.

8. From the record, it is clear that in the disciplinary proceedings pending against the appellant came to an end in the year 2025 though, Enquiry Officer submitted a report on 09.12.2020 exonerating him of the allegations but the same was kept pending till the appellant retired from service in 2024. The said proceedings were dropped only in August, 2025. The service benefits upon exoneration were given with retrospective effect hence, the appellant is correct in saying that once he was exonerated after the retirement as the departmental proceedings were closed only after the retirement, filing the petition for the grant of compensation for malicious prosecution in the year 2026 within a period of one year, cannot be treated as having availing the remedy after delay hence, the said observation of the



learned Single Judge that there is a delay in approaching the Court is set aside.

9. The further claim raised by the appellant in the writ petition is that he should be compensated for having been wrongfully proceeded against departmentally while he was in service so as to cause harassment and denying him the benefits of promotion during his service career.

10. Qua this argument, it may be noticed that in order to seek compensation, a party needs to prove beyond doubt that the prosecution was malicious or without jurisdiction.

11. In order to prove the said fact, the evidence needs to be brought on record hence, filing a writ petition before the Court to contend that the exoneration itself means malicious prosecution, cannot be accepted. Malicious prosecution needs to be proved by way of evidence and that too by giving due opportunity to the officers upon whom allegations of malicious prosecution are being alleged.

12. Further reliance has been placed by the appellant upon the judgment of the Hon'ble Supreme Court of India in ***Writ Petition (Civil) No.933 of 2014 titled as Dr. Ram Lakhan Singh vs. State of Uttar Pradesh through Chief Secretary, decided on 17.11.2015.*** However, it may be noticed that in the said case, it had already come on record before the Hon'ble Supreme Court of India that the prosecution initiated against the writ petitioner was malicious, which fact is missing in the present case as malicious prosecution is yet to be proved by leading a cogent evidence and as of now exoneration from the allegation is being termed malicious prosecution.



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13. Mere exoneration cannot be treated that departmental proceedings were with malicious intent. For the same, the evidence needs to be brought on record to prove such intent of the official concerned, which can only be proved by leading evidence hence, the judgment in ***Dr. Ram Lakhan Singh's case (supra)*** is not applicable in the facts and circumstances of the present case.

14. Faced with this situation, the appellant, who appears in person, submits that the present appeal may kindly be disposed of having been not pressed any further with liberty to avail appropriate remedy for the redressal of his grievance before appropriate forum.

15. Ordered accordingly.

16. The present appeal is disposed of in above terms.

17. Civil miscellaneous application pending if any, also stands disposed of.

**(HARSIMRAN SINGH SETHI)
JUDGE**

May 26, 2026
harsha

**(DEEPAK MANCHANDA)
JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : No