

In the High Court of Punjab and Haryana at Chandigarh

C.W.P. No. 307 of 2007

Date of Decision: 30.04.2007

Amrit Lal Bector

...Petitioner

Versus

Punjab State Civil Supplies Corporation Limited ...Respondent

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR

HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Ram Kumar Malik, Advocate,
for the petitioner.

Mr. Munishwar Puri, Advocate,
for the respondent.

JUDGMENT

M.M. KUMAR, J. (Oral)

Written statement on behalf of the respondent has been filed in the Court today, which we have taken on record and a copy thereof has been furnished to the learned counsel for the petitioner.

The grievance made by the petitioner is that except gratuity his other benefits like leave encashment could not be withheld even if an inquiry is pending as he superannuated on 30.11.2006.

It is conceded position that inquiry in four cases was held and three charge sheets have been filed. However, there is a fourth charge sheet pending against the petitioner where he appears to have been exonerated. But there is a dissenting note issued by the

punishing authority. According to the written statement, the notice in that regard has been published in the news paper asking the petitioner to appear before the punishing authority and the petitioner has not appeared.

The petitioner undertakes through his counsel to appear before the punishing authority on 8.5.2007 at 10.00 a.m. i.e. the Managing Director, PUNSUP, S.C.O. No. 36-40, Sector 34-A, Chandigarh.

In view of the above, we dispose of the writ petition by directing the respondent to pay all other benefits like leave encashment etc., except gratuity forthwith and finalise the pending inquiry proceedings against the petitioner within a period of three months from today. It is needless to mention that if the petitioner is not found guilty of any charges by the punishing authority in pursuance to the dissenting note issued then the withheld gratuity amount shall also be released within one month from the date of decision.

The petition stands disposed of in the above terms.

(M.M. KUMAR)
JUDGE

(RAJESH BINDAL)
JUDGE

April 30, 2007
Pkapoor