

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

C.W.P. NO. 9757 OF 2005 (O&M)

Date of Decision: April 30, 2007

Mulakh Raj

...Petitioner

Versus

The Punjab State Electricity Board, Patiala, and others

...Respondents

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

HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Ms. Sushma Chopra, Advocate,
for the petitioner.

Mr. Aman Sibia, Advocate,

Mr. Rajesh K. Sharma, Advocate,
for the respondents.

JUDGMENT

M. M. KUMAR, J.

The petitioner who was working on the post of LDC in the office of Municipal Corporation, Amritsar, became an employee of Punjab State Electricity Board on the merger of Electricity Department of the Corporation with the Board. Accordingly, he retired from service of the Board on 31.1.1997. He has claimed that

order dated 18.8.2003 (P-4), passed by the Superintending Engineer, withholding a sum of Rs. 15,699/-, on account of accrued interest @ 18% be set aside. He has further claimed that the aforementioned amount be paid back to him along with interest. It is appropriate to mention that disciplinary proceedings were held against the petitioner. There were allegations of embezzlement against him. He was found guilty of charges. Thereafter, the petitioner was issued warning for his carelessness for not handling the cheques properly. The punishing authority had also ordered recovery of interest @ 18% from the petitioner in respect of the period the amount was withheld. Accordingly, a sum of Rs. 15,699/- was ordered to be recovered. Even a criminal case was registered against the petitioner. The order dated 18.8.2003 (P-4) has attained finality as no appeal was filed by the petitioner.

In view of the above, there is no merit in the petition and the same is dismissed.

(M.M. KUMAR)
JUDGE

(RAJESH BINDAL)
JUDGE

April 30, 2007
Pkapoor