



CWP-16532-2025

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

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CWP-16532-2025

Date of Decision: 29.05.2025

Jagmender Singh**...Petitioner**

Versus

Sarva Haryana Gramin Bank and others**...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. Sardavinder Goyal, Advocate and
Mr. Nishant Sindhu, Advocate for the petitioner

Mr. Anurag Jain, Advocate,
Ms. Chahat, Advocate
Mr. Rahul Choudhary, Advocate and
Ms. Namisha Kapoor, Advocate for the respondents

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 29.03.2025 (Annexure P-16) whereby respondent has ordered that he shall not be entitled for retiral benefits till the conclusion of departmental proceedings. He is further seeking setting aside of charge-sheet dated 28.03.2025.

2. The petitioner claims that respondent has served charge-sheet dated 28.03.2025 upon him and he was going to retire on 31.03.2025. 30.03.2025 & 31.03.2025 were non-working days, thus, he was virtually bound to retire on 29.03.2025. The respondent intentionally and just to deny him retiral benefits served charge-sheet on the last date of his service.

3. Learned counsel for the petitioner submits that respondent has passed impugned orders despite interim order passed by Civil Court. The



petitioner has filed Civil Suit against respondent-bank as well as Indian Institute of Banking and Finance ('IIBF'). The said organization had declared conduct of the petitioner unfair. The action of said organization adversely affected his carrier, thus, at the first instance he approached this Court by way of writ petition and thereafter, in view of remedy of Civil Court, approached Civil Court which vide order dated 29.03.2023 directed the respondent not to pass adverse order against the petitioner. A similar order was passed on 02.05.2024 by Civil Judge, Junior Division, Rohtak. The foundation of charge sheet is action of IIBF. The alleged offence was committed in January' 2022. The respondent in the wake of charge sheet has withheld retiral dues of the petitioner vide separate order dated 29.03.2025.

4. Mr. Anurag Jain, Advocate, who on advance notice is present in Court on behalf of the respondents, submits that bank is not going to withhold pension of the petitioner. He would be released provisional pension subject to furnishing requisite documents. It is the petitioner who is not submitting requisite documents. As soon as the petitioner would submit requisite documents, provisional pension would be released. The respondent would withhold gratuity and leave encashment of the petitioner. The said benefits would be released as soon as civil and departmental proceedings are concluded.

5. I have heard the arguments of learned counsel for both sides and perused the record with their able assistance.

6. As conceded by learned counsel for the respondent, the petitioner is entitled to provisional pension which would be released as soon as the petitioner would submit requisite documents. The petitioner is claiming that he has already submitted all the documents.



To resolve the issue, the respondent-bank is directed to send a specific letter within a week pointing out documents which are required from petitioner's side. The petitioner in turn would submit requisite documents. On doing so, the respondent-bank shall release provisional pension within 2 weeks from the date of furnishing of documents demanded in the aforesaid letter.

7. The petitioner is assailing charge-sheet and order whereby his other benefits are withheld. The petitioner has preferred civil suit against action of IIBF. The Civil Court is seized of the matter. Any order of this Court, at this stage, would amount to sitting over proceedings of Civil Court. It would not be in the fitness of things and interest of justice that if at this stage impugned charge-sheet or order is set aside especially when respondent has made a categorical statement that provisional pension would be released.

8. In the wake of above discussion and findings, the present petition stands disposed of.

9. The petitioner is at liberty to approach Civil Court for expeditious disposal of the suit so that departmental proceedings may take its colour.

(JAGMOHAN BANSAL)
JUDGE

29.05.2025

Mohit Kumar

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| Whether speaking/reasoned | Yes/No |
| Whether reportable | Yes/No |