



2026:PHHC:046277

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203.

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

CWP-16440-2024

Date of decision: 24.03.2026

Partap Singh Thakur

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: None for the petitioner.

Mr. Surya Kumar, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

1. The instant petition has been filed by the petitioner under Articles 226/227 of the Constitution of India, seeking a writ in the nature of certiorari, for quashing the order dated 12.06.2024 (Annexure P-15), passed by respondent No.1 in violation of facts on record, rules and instructions, wherein he has upheld the order dated 04.10.2021 (Annexure P-5), passed by respondent No.2, and ordered recovery of penal interest payable by respondent No.3 from the petitioner and after recovery from the petitioner, pay the same to respondent No.3; and for setting aside the orders dated 04.10.2021, 18.10.2021, 15.11.2021 (Annexures P-5, P-7 and P-9 respectively), which have been passed in violation of Rule 10.16 (v) of the Punjab Financial Rules, Vol-I and Rule 9.16 of the Punjab Civil Services Rules, Vol-II, wherein the petitioner has been held liable for non-payment of penal interest by Surinderpal Singh, Peon, respondent No.3, in the office of respondent No.2 (now retired), on the house loan availed by him amounting to Rs.1,11,819/- out of total amount of penal interest of Rs.2,20,134/- passed without giving any opportunity of personal hearing to

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the petitioner, in violation of the Rules of natural justice, as the amount was payable by respondent No.3, who had signed an undertaking for his liability to refund the amount of house loan advanced along with interest and penal interest; further a writ in the nature of mandamus has been sought directing the respondent to release the amount of Rs.27,600/- with 18% interest, recovered illegally from the salary of the petitioner for the month of November, 2021; further, respondents No.1 and 2 be directed to recover the total amount of penal interest from the loanee employee, respondent No.3.

2. On 27.03.2025, learned counsel for the petitioner sought time for furnishing correct address of respondent No.3 and the case was adjourned for 30.10.2025. However, the correct address of respondent No.3 was not furnished and again time was granted for the said purpose on 30.10.2025 and notice was ordered to be served through dasti process as well.

3. As per office report, notice could not be issued to respondent No.3 as correct address has not been provided.

4. Counsel for the petitioner is also not present. It appears that the petitioner is not interested to pursue the present petition.

5. In this view of the matter, the present petition is dismissed for non-prosecution.

(NAMIT KUMAR)
JUDGE

24.03.2026
sanjeev

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No