

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

**CWP No.13081 of 2013 (O&M)
Date of decision : 28.11.2015**

Parkash Kaur

....Petitioner

Versus

State of Punjab & ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Tarundeep Kumar, Advocate for
Mr. D.S.Pheruman, Advocate
for the petitioner.

Mr. Avinit Avasthi, AAG, Punjab.

G.S.Sandhawalia, J. (Oral)

The petitioner challenges the order dated 27.05.2013 (Annexure P-8) whereby her services were terminated from the post of Class IV employee working in the E.S.I. Hospital, Amritsar on account of conviction under Section 138 of the Negotiable Instrument Act by Judicial Magistrate, Ist Class, Amritsar in a complaint case on 19.08.2012. The petitioner was sentenced for a period two years along with fine of Rs.1,000/- in the said complaint case.

The petitioner approached this Court by way of writ petition and the operation of the impugned order was stayed on 07.06.2013.

Learned counsel for the petitioner submits that in the meantime, in view of compromise having been effected between the parties in the criminal appeal, the petitioner stands acquitted on 30.08.2014 (Annexure P-9) by Addl. Sessions Judge Fast Track Court, Amritsar.

It is further pointed out that a legal notice dated 09.10.2014 (Annexure P-10) has already been served upon the

respondents regarding the said fact and appropriate orders have been sought for restoring the benefit to the petitioner.

Keeping in view the subsequent events, which have taken place, the present writ petition is disposed of with a direction to respondent No.2 to take into consideration the legal notice dated 09.10.2014 and decide the said issue of termination afresh keeping in view the order of acquittal, which has now been recorded. Needful be done within a period of three months from the date of receipt of certified copy of this order.

Interim order staying the order of termination will continue till the decision on the legal notice dated 09.10.2014.

28.11.2015
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(G.S. SANDHAWALIA)
JUDGE