

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

CWP No.10180 of 2015

Date of decision: 21.07.2015

Jagdish Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Ravinder Kumar, Advocate for
Mr. Manu K. Bhandari, Advocate for the petitioner.
Mr. Anshul Gupta, Asst. AG, Punjab.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

ARUN PALLI J. (Oral)

Notice of motion.

Mr. Anshul Gupta, Asst. AG, Punjab, present in court, accepts notice on behalf of the respondents. Copies supplied.

In the wake of an order, I intend to pass, no formal written statement is necessary to be filed by the State, at this stage.

A writ in the nature of mandamus is prayed for, so as to direct respondent No.4 to consider and decide the appeal, dated 18.01.2008 (Annexure P4), preferred by the petitioner, which is purportedly pending consideration before respondent No.4 for an abnormally long time. It is maintained that an appeal under Rule 16.29 of the Police Rules filed by the petitioner against memo No.26/JR-PA/23/11/07 of DIG,

Jalandhar Range, Jalandhar and order No.C/5341-46 dated 13.11.2007 passed by SSP, Nawanshahr, vide which the service period of the petitioner w.e.f. 26.09.2006 to 15.11.2007 has been ordered to be treated as non-duty period, is pending since January, 2008.

Learned State counsel, who has ascertained the status of the appeal, on instructions, submits that the appeal dated 18.01.2008 (Annexure P4) is indeed pending before respondent No.4. But the same shall be decided within a period of three months.

That being so, and without expressing any opinion on merit, this petition is disposed of with a direction to respondent No.4, to consider and decide the appeal dated 18.01.2008 (Annexure P4), preferred by the petitioner, strictly in accordance with law, within a period of three months from the receipt of certified copy of this order. Needless to assert, a comprehensive order shall be passed, assigning reasons in support of the decision arrived at.

However, it is made clear that if the appeal remains undecided and no order is passed within the time stipulated above, the petitioner shall be at liberty to move an application for revival of this petition for appropriate orders.

July 21, 2015
Rajan

(Arun Palli)
Judge

