

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

CWP No.10859 of 2015
Date of decision: 27.05.2015

Gurcharan Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Gautam Dutt, Advocate for
Mr. Rajeev Anand, Advocate, for the petitioner.

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)

Writ in the nature of certiorari is prayed for, so as to quash the order dated 19.07.2010 (Annexure P1), vide which the petitioner was dismissed from service upon his conviction by a criminal court. The petitioner was tried in a case No.14, instituted on 05.10.1999, by a Special Judge, Mansa. And vide judgment dated 01.10.2000, he was convicted under Section 7 of the Prevention of Corruption Act and sentenced to undergo rigorous imprisonment for a period of two years. In fact, when the order of termination of service of the petitioner was passed, an appeal preferred by the petitioner i.e. Criminal Appeal No.1225-SB-2000, against his conviction, was pending before this court. And vide judgment dated 13.08.2014 (Annexure P3), this court accepted the appeal and set aside

his conviction. The said decision is purported to have attained finality, as vide letter dated 24.01.2015 (Annexure P4), the State had resolved not to prefer any further appeal against the said decision. As a result, vide representation dated 17.11.2014 (Annexure P5), petitioner represented to respondent No.2, to review/revoke the order dated 19.07.2010 and reinstate the petitioner with all consequential benefits. But with no tangible result. Vide two successive representations dated 02.02.2015 (Annexure P6) and 14.02.2015 (Annexure P7), petitioner again apprised the authorities that as he had been acquitted, he was required to be reinstated in service. But that too has not been heeded to.

Learned counsel for the petitioner submits that as no formal order has yet been passed by respondent No.2 on the representations made by the petitioner, his claim continues to await consideration of the authorities. He submits that let this petition be disposed of only with a direction to respondent No.2, to consider and decide the representations (Annexure P6 & Annexure P7), submitted by the petitioner, within a specified time.

That being so, and without expressing any opinion on merits, this petition is disposed of with a direction to respondent No.2, to consider and decide the claim of the petitioners, as set out in his representations dated 02.02.2015 (Annexure P6) and 14.02.2015 (Annexure P7), strictly in

accordance with law, within a period of 3 months from the receipt of certified copy of this order. Though, needless to assert, a comprehensive order shall be passed, assigning reasons in support of the decision arrived at.

May 27, 2015
Rajan

(Arun Palli)
Judge