

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

CWP No. 18429 of 2015
Date of decision: 02.09.2015

Jagdish Singh

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

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

Present: Mr. Manu K. Bhandari, Advocate, for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

Learned counsel restricts his claim for a time bound decision regarding the appeal dated 27.04.2015 (Annexure P-5) preferred by him before respondent no. 3.

It is the case of the petitioner that he was dismissed from service on 18.11.2011 (Annexure P-1) on account of conviction in a criminal case. The conviction was set aside by this Court on 21.02.2013 (Annexure P-2). The department also conducted its inquiry and he was exonerated. However, vide order dated 28.01.2015 (Annexure P-4), the period between the dismissal order and the reinstatement i.e. 30.04.2013 has been ordered to be considered without duty and without pay. He has preferred an appeal before respondent no. 3.

Counsel submits that in the meantime, the petitioner has retired on 30.04.2015 and, therefore, his retiral dues are also adversely affected by the order against which the appeal has been filed since his retiral dues would have to be calculated accordingly.

Keeping in view the above controversy and without commenting on the merits of the case, this Court does not feel it necessary to call upon the respondents to file reply.

Accordingly, this writ petition is disposed of with a direction to respondent no. 3 to decide the appeal dated 27.04.2015 (Annexure P-5) within a period of 2 months from the date of receipt of certified copy of the order. Needless to say that in case the order is adverse to the petitioner, reasons would follow.

02.09.2015
shivani

(G.S. SANDHAWALIA)
JUDGE