

Sr.No.241

IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH

CWP-25929-2013(O&M)

Decided on: 08.10.2015

Jai Singh

.....Petitioner

vs.

State of Haryana and othersRespondents

Coram: Hon'ble Mr. Justice Mahesh Grover

Present: Mr. Yogesh Saini, Advocate for the petitioner.

Mr.Hitesh Pandit, Addl. A.G. Haryana.

**

Mahesh Grover, J

The petitioner who was working as a Driver with Haryana Roadways is alleged to have caused an accident leading to registration of a case against him under Sections 279, 337, 338, 304-A IPC. His arrest resulted in suspension from service. He faced trial but was acquitted. A domestic inquiry initiated against him was also dropped. The petitioner was reinstated in service but his period of suspension was not regularized and monetary benefits denied to him on the premise that subsistence allowance be restricted to the amounts already withdrawn. The petitioner relies upon four decisions of this Court in *S.C.Dass v. State of Haryana, 2010(6) SLR 192*, *Madan Lal v. State of Haryana, 1997(3) SCT 465*, *Hukam Singh v. State of Haryana and another, 2001(2) SCT 696* and *Piara Singh v. State of Punjab 2013(2) PLR 786*.

In view of the above settled propositions of law and the fact that there is no material adverse to the petitioner and the only reason for suspension being the registration of a criminal case in which he stands acquitted, he

shall be entitled to full salary and allowance for the period of suspension.

The petition is accepted and the impugned order Annexure P2 is set aside and the petitioner is held entitled to all the monetary consequences for the period for which he remained under suspension.

08.10.2015

mamta

(MAHESH GROVER)

JUDGE