

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

CWP-3447 of 2013 (O&M)
Date of decision : 28.07.2015

Som Nath Gaba

...Petitioner

V/S

Pt. Bhagwat Dayal Sharma University of
Health Science, Rohtak, and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present:- Mr. Dinesh Arora, Advocate for the petitioner (s).

Mr. Ramesh Hooda, Advocate for the respondent

JITENDRA CHAUHAN, J. (Oral)

By way of instant petition, the petitioner is seeking three reliefs: first being with regard to pension which stands redressed; the second prayer is for issuance of directions to the respondents to decide the appeal (Annexure P-2), preferred by the petitioner against the acquittal order dated 04.01.2001 and lastly he stating that he is entitled for grant of 2nd & 3rd ACP from the due date.

For the redressal of his grievance, the petitioner has served legal notice (Annexure P-9), however, the same has not been decided so far.

Learned counsel for the respondents states that the petitioner never preferred an appeal (Annexure P-2) as asserted by him.

He further submits that the petitioner manipulated the record as there is no receipt number of the appeal, filed by the petitioner.

However, the learned counsel for the respondents admits that on the personal file of the petitioner the appeal as on today exists.

In view of admitted fact that the appeal filed by the petitioner in pursuance of the acquittal order and against non grant of ACPs from the due date is pending with the respondents, without adverting to the merits, at this stage, the respondents are directed to consider and decide the appeal of the petitioner, expeditiously preferably within three months from the receipt of a certified copy of this order.

The respondents are free to initiate any action against the erring official (s) who allegedly connived with the petitioner in placing the appeal of the petitioner on the personal file of the petitioner.

With the above observation, this CWP stands disposed of.

28.07.2015

ashok

**(JITENDRA CHAUHAN)
JUDGE**