

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

125

**Civil Writ Petition No.9296 of 2015
Date of Decision:12.05.2015**

Balbir Singhpetitioner

Versus

State of Punjab and othersrespondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

- 1.Whether Reporters of local papers may be allowed to see the judgement?**
- 2. To be referred to the Reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present: Mr.P.P.S.Duggall, Advocate
for the petitioner

ARUN PALLI, J.(ORAL):-

A writ in the nature of mandamus is prayed for, so as to direct the respondents to reinstate the petitioner in service in Punjab Home Guards, as petitioner was suspended on 17.06.2013, on account of registration of a criminal case against him. And since has now been acquitted of the charge.

It is averred that the petitioner was appointed as Constable in the Punjab Home Guards, Ferozepur, in the year 1994 and was assigned belt No.22655. Resultantly, he served w.e.f.1994 till June 2013, approximately, for a period of 20 years. As the petitioner along with his brother was implicated in FIR No.88 dated 17.06.2013, Police Station Kulghari, under Section 304/34 IPC, he was placed under suspension. However, vide judgement dated 06.06.2014 (Annexure P1), the petitioner was acquitted of the charge by Additional Sessions Judge, Ferozepur. It is maintained that post

acquittal, petitioner personally represented to the respondents to reinstate him in service, followed by representation dated 17.10.2014 (Annexure P2) to District Commander, Punjab Home Guards, Ferozepur and a representation of an even date (Annexure P3) to the Division Commander, Punjab Home Guards, Ferozepur. But with no tangible result. So much so, prior to the institution of this petition, respondents No.2 and 3 were served upon a legal notice dated 04.12.2014 (Annexure P4), but that too has failed to evoke any response.

Learned counsel for the petitioner submits that, at this stage, let this petition be disposed of with a direction to respondents No.2 and 3, to consider and decide the legal notice served by the petitioner, within a specified time.

That being so, and, without expressing any opinion on merits, the instant petition is disposed of with a direction to respondents No.2 and 3, to consider and decide the claim of the petitioner, as set out in his legal notice dated 04.12.2014 (Annexure P4), strictly, in accordance with law, within a period of three months, from the date of receipt of the certified copy of this order. Needless to assert, a comprehensive order shall be passed assigning reasons, in support of the decision arrived at.

12.05.2015

neenu

(ARUN PALLI)
JUDGE