

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

CWP No. 2036 of 2010 (O & M)

Date of decision: 13.01.2016

Narinder Kumar

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

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

Present: Mr. Ramandeep, Advocate,
for the petitioner.

Mr. Avinit Awasthi, AAG, Punjab.

G.S.SANDHAWALIA, J. (Oral)

The petitioner challenges the order dated 14.09.2006 (Annexure P-1) passed by respondent no. 3 whereby, he has been discharged from service and also the order dated 04.01.2010 (Annexure P-7) whereby, his appeal has been rejected by respondent no. 2. A further prayer is sought for reinstatement of the petitioner in service with all consequential benefits. The discharge of the petitioner, who was working as SPO, is on the basis of involvement in a criminal case in FIR No. 101 dated 11.09.2006. The petitioner was acquitted by giving full benefit of doubt by the Additional Sessions Judge, Jalandhar on 01.06.2009 (Annexure P-6), which has not been taken into consideration by the Appellate Authority.

In view of the detailed reasons given in judgment of even date passed in ***CWP No. 14975 of 2009, Pawan Kumar (Constable) vs. State of Punjab and others***, the said orders are set aside. Accordingly, directions are issued to respondent no. 2 to consider the case of the petitioner for absorption as a Constable in view of the instructions dated 14.05.2008 within a period of 3 months from the date of receipt of certified copy of the order. It is, however, made clear that the petitioner will not be entitled for any monetary benefits during the period he remained out of service.

13.01.2016
shivani

(G.S. SANDHAWALIA)
JUDGE