

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

CWP No. 7049 of 2009
Date of decision: 13.01.2016

Harpal Singh

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

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

Present: Mr. Ashok Bhardwaj, Advocate,
for the petitioner.

Mr. Avinit Awasthi, AAG, Punjab.

G.S.SANDHAWALIA, J.

The petitioner challenges the order dated 10.04.2009 (Annexure P-10), whereby, the request of the petitioner for absorption as Constable was rejected on account of the fact that there was an FIR registered against him. The discharge of the petitioner, who was working as SPO, was on account of the said fact. A further prayer is sought for reinstatement of the petitioner in service with all consequential benefits. The petitioner was acquitted in the said FIR on 22.02.2001 by the Judicial Magistrate Ist Class, Chandigarh (Annexure P-3) and accordingly, the petitioner is thus entitled for the benefit of the policy dated 14.05.2008.

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 order is set aside. Accordingly, directions are issued to respondent no. 3 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