

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

CWP No. 1265 of 2015

Date of decision: 26.08.2016

Harbans Singh

..... Petitioner

Vs.

State of Punjab and another

..... Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Vikas Chatrath, Advocate
for the petitioner.

Mr. Anshul Gupta, AAG, Punjab.

DAYA CHAUDHARY,J.(ORAL)

Prayer in the present writ petition is for issuance of a writ in the nature of mandamus directing the respondents to open the proceedings of DPC held on 21.06.2013, which is kept in a sealed cover.

Learned counsel for the petitioner submits that petitioner was acquitted in the criminal proceedings vide judgment dated 20.10.2014 (Annexure P3) and as such, he is entitled to promotion in view of Government instructions dated 20.01.1994. He further submits that on acquittal, he made representations but neither the benefits have been granted from the date of acquittal i.e. 20.10.2014 nor instructions dated 20.01.1994 (Annexure P4) have been complied with.

Learned State counsel submits that the sealed cover of the proceedings of DPC of the petitioner has been opened and he has been promoted.

Learned counsel for the petitioner further submits that the petitioner is also entitled to the benefits after his promotion in view of instructions dated 20.01.1994.

Since, the petitioner has been promoted but his claim has not been considered in view of the instructions dated 20.01.1994 (Annexure P4). The relief regarding other benefits be represented by the petitioner by making a reference to instructions dated 20.01.1994

In case, the petitioner moves any such representation, the same be decided within one month from the date of receipt of certified copy of this order. In case, the petitioner is found to be entitled, the same be released to the petitioner, thereafter, within a period of one month and in case he is aggrieved by any action of respondents, he is at liberty to avail appropriate remedy.

Disposed of.

(DAYA CHAUDHARY)
JUDGE

26.08.2016
smriti

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No