

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

***CWP No.12648 of 2016 (O&M)
Date of decision:04.07.2016***

Mawasi Ram

... Petitioner

versus

U.H.B.V.N.L. & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. K.L. Dhingra, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

Petitioner was appointed as a Lower Division Clerk under the Haryana State Electricity Board in the year 1995 on regular basis. Petitioner was implicated in FIR No.42 dated 21.07.2007 registered at the complaint of XEN, Operation Division, Jhajjar with regard to misappropriation of funds of the Electricity Board/Uttar Haryana Bijli Vitran Nigam Limited. Consequently, petitioner was placed under suspension on 16.10.2006. Petitioner was reinstated pending trial on 13.08.2008. Even departmental proceedings were initiated against the petitioner on the same very allegations in the light of a charge sheet dated 26.10.2007 having been served. Charge sheet was responded to by the petitioner by filing a reply dated 26.11.2007.

Counsel submits that the trial has since culminated and the petitioner stands acquitted vide judgment dated 24.07.2013 passed by the learned Chief Judicial Magistrate, Jhajjar at Annexure P-5.

Grievance raised in the present petition is that no orders have been passed as regards the suspension period i.e. 16.10.2006 to 13.08.2008.

Petitioner has been paid subsistence allowance @ 50% whereas his entitlement was of 75% subsistence allowance. Further grievance is that the service benefits in the nature of increments etc. have also been withheld from him and inspite of reply to the charge sheet having been submitted in the year 2007 itself, the departmental proceedings have not been taken to their logical end even though in the criminal prosecution the petitioner having earned acquittal.

In the light of the averments made in the petition and the grievance portrayed, I deem it appropriate to dispose of the present petition with a direction to respondent No.1 i.e. the Managing Director, Uttar Haryana Bijli Vitran Nigam Limited to consider the present writ petition itself as a comprehensive representation and to take a decision on the claim set up therein strictly in accordance with law and by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Disposed of.

04.07.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**