

CWP No. 15186 of 2017

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

**CWP No. 15186 of 2017
Date of Decision: 28.07.2017**

Dharmender Indora

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Ms. Neelam Chauydhary, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

Learned counsel for the petitioner submits that though a show cause notice was issued, vide Annexure P-5, to the petitioner, asking him to show cause as to why a punishment of stoppage of one increment without cumulative effect be not passed against him, pursuant to the enquiry report by which it was found that the charges against him stood partially proved, no final order has been passed by the punishing authority thereafter.

By this petition, the petitioner is however seeking a writ of mandamus by which the respondents be directed that the “waiting periods” between the time that he was terminated from service and the time that he was reinstated, be treated to be periods on duty and that leave travel concession, ACP scales (with interest), reimbursement of medical bills and other benefits due to him, be also given.

In respect of his grievance, the petitioner is stated to have got a legal notice issued to respondent no. 1 on 24.06.2016 (a copy of which has been annexed as Annexure P-6), which it is contended has still not been decided.

Consequently, without going into the merits of what is contended in this petition, it is disposed of with a direction to the competent authority amongst the respondents to take a decision on the aforesaid legal notice issued on behalf of the petitioner, by passing a speaking order, if such order has not already been passed.

It is also clarified that in case a speaking order has already been passed giving such detailed reasons for agreement/dis-agreement with any of the contentions raised by the petitioner herein, then only a short order need now be passed, annexing therewith a copy of the the detailed order already passed (if any).

Further, if no decision has been taken on the show cause notice issued to the petitioner, vide the communication Annexure P-5 dated 14.01.2016, a decision thereon be also taken.

Both the orders shall be passed within two months from the date of the receipt of a certified copy of this order.

July 28, 2017
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No.