

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

**CWP No.16857 of 2017
DECIDED ON: August 01, 2017**

MALKIAT SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vinod Khunger, Advocate,
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, the petitioner has sought issuance of a writ in the nature of mandamus, directing the respondents to pay arrears of salary and other pensionary benefits for the period of suspension which was later on revoked along with interest @ 18% per annum and to set aside the order dated 06.02.2015 and 24.07.2015 (Annexures P-4 & P-5) stopping two increments of the petitioner and refused to pay arrears of suspension period.

2. Learned counsel for the petitioner contends that petitioner was working as SS Master in the Education Department and retired on 30.06.2012 on attaining the age of superannuation. During his service, he was suspended on 05.04.1991 on account of certain financial irregularities. However, he was

reinstated on 19.05.1998 but the decision regarding suspension period was to be taken afterwards. Subsequently, on 08.12.1998 vide letter dated 10.11.1998 (Annexure P-2), show cause notice issued vide office order No.2744/10/43-90 Admn.III(4), dated 23.07.1998 was withdrawn and it was specifically mentioned that the order will not affect the enquiry. Thereafter, no enquiry was conducted till date. The benefit of the suspension period after the withdrawal of show cause notice has not so far been given to the petitioner. Even, legal notice dated 06.06.2017 (Annexure P-7) was also served upon the respondents but neither it fetch any reply nor any conscious decision has been taken thereon by the concerned authorities.

3. Accordingly, instant petition is disposed of with the direction to respondent No.2-DPI (Secondary Education), Punjab School Education Board Complex, Ajitgarh, Mohali to look into the grievances unfolded by the petitioner in his legal notice dated 06.06.2017 (Annexure P-7) and take a conscious decision in accordance with law, within a period of 3 months from the date of receipt of certified copy of this order, .

August 01, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***