

CWP No.2268 of 2016

Manoj Kumar
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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CWP No.2268 of 2016
Date of Order: 26.4.2017**

Sher Singh

....Petitioner

Versus

State of Punjab and Ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. P.K. Goklaney, Advocate for the petitioner.

Mr. Anant Kataria, DAG, Punjab.

JASWANT SINGH, J (ORAL)

The petitioner, who was working as Canal Patwari with the Department of Irrigation, Punjab, by way of filing this writ petition has sought for issuance of a writ of Mandamus directing the respondents to re-fix his pay and release the arrears on revision along with interest @ 9% on the delayed payment.

It is borne out that the petitioner was terminated vide order dated 17.7.2010 (P.1) for being convicted in a criminal case vide judgment dated 09.8.2001 for the offence under Sections 13 (2) of the Prevention of Corruption Act, 1988 and Sections 467,468,471,120-B IPC. He is stated to have been acquitted of the charges aforesaid by this Court vide judgment dated 07.11.2013 (P.2) in the Criminal Appeal filed by him; and that the civil suit instituted by him was decreed on 30.11.2013 (P.3) while directing the respondent-Department to reconsider his matter of termination within three months besides ordering interest @ 9% on the

delayed payment.

Upon notice, a short affidavit dated 19.4.2017 of Kartar Chand, Executive Engineer, Mansa Division I.B Jawaharke has been filed in Court. It is stated that the petitioner has been reinstated on duty on 29.5.2014 and his entire service record has been updated. Accordingly, his pay has been re-fixed and arrears of pay, pay revision w.e.f 01.01.1986, 01.01.1996 and 01.01.2006 and grade pay enhancement have been sanctioned. The period of suspension/termination has been considered for pay. The details of payments made have been specified in para 3 of the affidavit. In addition, the amount qua interest at the rate of 9% on delayed payments has been calculated and submitted to the Treasury for a sum of Rs.561874/-. The Treasury after approval has sent intimation to the Bank for payment to the petitioner. The necessary payment shall be made after due sanction in the new financial year 2017-18.

Faced with the recent development, learned counsel for the petitioner concedes that no further adjudication is required in the present writ petition.

Dismissed as having become infructuous.

April 26, 2017
manoj

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No