

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

**CWP-21609-2017 (O&M)
Date of decision:02.11.2017**

Mewa Singh

... Petitioner

Vs.

State of Punjab & others

... Respondents

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

Present: Mr. JPS Sidhu, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.(ORAL).

Petitioner, who is serving as a Sewerman under the Punjab Urban Development Authority has filed the instant writ petition seeking directions for release of ACP/proficiency step up benefits.

Pleadings on record would indicate that the petitioner was implicated in FIR No.365 dated 10.12.2004, under Sections 302/307/148/149 IPC read with Section 27/54/59 of the Arms Act registered at Police Station Mohali. On account of registration of the FIR , petitioner was arrested on 17.12.2004 and released on regular bail on 16.05.2005. On account of initiation of criminal prosecution, petitioner was placed under suspension on 24.03.2005 and was reinstated on 17.06.2008.

In the considered view of this Court, the claim of the petitioner for grant of ACP benefit cannot be gone into at this stage.

It has been conceded by counsel that till date the competent authority has not passed any order with regard to the suspension period i.e. from 24.03.2005 till 17.06.2008.

Under such circumstances, counsel prays for withdrawal of the

instant petition with liberty to approach the appropriate/competent authority as regards a final decision to be taken with regard to the suspension period particularly in view of the fact that in the trial that has ensued the petitioner has earned acquitted vide judgment dated 30.04.2011 (Annexure P-3).

Prayer is allowed.

Petition stands dismissed as withdrawn.

02.11.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

(i) Whether speaking/reasoned?	Yes/No
(ii) Whether Reportable?	Yes/No