

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

Sr. No.123

Civil Writ Petition No.11295 of 2018
DECIDED ON: May 07, 2018

RAMA DEVI

..PETITIONER

VERSUS

STATE OF HARYANA AND OTEHRS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sat Narain Yadav, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ particularly in the nature of Certiorari for quashing the impugned punishment order dated 26.02.2009 (P-2) and order dated 30.11.2017 (P-11) as well as to decide the revision dated 29.01.2018 (P-12) within some prescribed period, which is still pending before the DGP, Haryana.

2. During the preliminary hearing, it has emerged that in a departmental inquiry, husband of the petitioner namely Ram Kishan EASI was punished vide order dated 26.02.2009 (P-2) passed by Superintendent of Police, Hisar, whereby eight increments with cumulative effect were stopped. However, said order was not challenged by the husband of

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the petitioner during his lifetime. However, husband of petitioner retired from the service on 14.04.2010. After his retirement, he approached this Court vide CWP No.7364 of 2016 captioned as ***EASI Ram Kishan vs. The State of Haryana and ors.***, which was disposed of vide order dated 23.04.2016 (P-8) with a direction to respondent No.2 to take a conscious decision on the legal notice. However, the relief sought by the husband of petitioner through legal notice was declined observing that since order dated 26.02.2009 (P-2) was not earlier challenged by him, he is not entitled to any benefit. After his demise, aforesaid order dated 26.02.2009 (P-2) was challenged by the petitioner by way of an appeal before the Inspector General of Police, Hisar Range, Hisar but that appeal was dismissed by Inspector General of Police, Hisar Range, Hisar vide order dated 30.11.2017 (P-11). No speaking order was passed while disposing of an appeal.

3. Being aggrieved against the aforesaid order dated 30.11.2017 (P-11), petitioner preferred a statutory revision under Rule 16.32 of Punjab Police Rules applicable to the State of Haryana, on 29.01.2018, which is pending disposal with Director General of Police, Haryana, Sector 6, Panchkula, Haryana. Though, a period of approximately four months is going to elapse, yet no conscious decision has been taken.

4. At this juncture, learned counsel for the petitioner feels satisfied in case a direction is issued to Director General of Police, Haryana, Sector 6, Panchkula, Haryana, who is seisin of the revision against the order dated 30.11.2017 preferred on 29.01.2018, to dispose of the same within some stipulated period.

5. Accordingly, without expressing anything on merits but considering the fact that petitioner as well as her husband were facing the

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protracted proceedings/litigation, it would be desirable that revision be finally disposed of as early as possible. Thus, instant petition is disposed of with a direction to respondent No.2-Director General of Police, Haryana, Sector 6, Panchkula, Haryana to deal with and take a conscious decision on the revision referred to above, within a period of four months from the date of receipt of a certified copy of this order. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, she shall be at liberty to have recourse to other remedies available under law as well as to approach this Court.

May 07, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**