

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

Sr. No.109

**Civil Writ Petition No.26482 of 2017 (O&M)
DECIDED ON: January 16, 2018**

RAJINDER SINGH

..PETITIONER

VERSUS

**THE PUNJAB STATE COOPERATIVE SUPPLY AND MARKETING
FEDERATION LTD MARKFED AND ANR.**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Shiv Kumar, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

CM No.397-CWP of 2018

This is an application for placing on record the letter dated July
08, 2014 (Annexure P-10).

Application is allowed as prayed for and same is taken on
record subject to all just exceptions and be tagged at appropriate place.

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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 or direction to the respondents to release of his wages
with all consequential benefits along with interest @ 18% per annum
accrued after reinstatement into service from dismissal in pursuance to the

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two separate orders dated August 31, 2013 passed by Additional Sessions Judge, Ludhiana (P-5 & P-6), whereby the petitioner was acquitted from the charges u/s 406, 409, 109, 120-B IPC in two separate FIRs No.75 and 77 dated May 01, 1996.

2. Concededly, while the petitioner was working in MARKFED as Field Officer in the year 1980, two separate FIRs No.75 and 77, dated May 01, 1996 were registered under Sections 406, 409, 109 & 120-B IPC at Police Station Jagraon against M/s Praveen Kumar a Rice Seller owner and others, including petitioner for alleged misappropriation of stocks of crop for the year 1994-95. He was convicted and sentenced vide two separate judgments dated July 19, 2010 under Sections 409 & 120-B IPC. However, in two appeals, he stood acquitted vide two separate judgments dated August 31, 2013 in the aforesaid cases. Subsequent thereto, petitioner was reinstated into the services and joined the Markfed vide order dated December 09, 2013. Since, he was not given the benefits to which he was legally entitled after his reinstatement, he approached the respondents vide representation dated July 08, 2014 (P-8) seeking the release of arrears of wages for the period from the date of his dismissal till the date of his joining i.e. October, 2010 to August, 2013. Petitioner stood retired on November 30, 2014 on attaining the age of superannuation.

3. The contention of learned counsel for the petitioner is that despite the fact that a period of more than 03 years has elapsed, no conscious decision has been taken in the representation dated July 08, 2014 (P-8) moved by the petitioner and the matter is shuttling from one office to another office or branches of the concerned department. Learned counsel

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for the petitioner feels satisfied in case a direction is issued to respondents to decide the matter within some date bound manner.

4. Thus, without expressing any opinion on the merits of the case, but considering the fact that matter has not been finalized a period of more than 03 years, instant petition is disposed of with a direction to the respondents to consider the claim of the petitioner as set up in the representation dated July 08, 2014 (P-8) and take a conscious decision in accordance with law, rules, regulations and notification issued by the Government from time to time as well as judgments rendered in this petition, within a period of three months from the date of receipt of a certified copy of this order.

5. However, in case, petitioner still feels aggrieved any of the order(s) passed by concerned authority, he shall be at liberty to approach this Court.

January 16, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**