

CWP-28943-2018 (O&M)

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

**CWP-28943-2018 (O&M)
Date of decision : 16.11.2018**

Banarsi Dass

... Petitioner

Versus

Uttar Haryana Bijli Vitran Nigram and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.K. Handa, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J.

In the present writ petition, the claim made by the petitioner is for release of salary for the period the petitioner remained suspended from 23.01.2003 to 30.06.2008.

The contention which has been raised by the counsel for the petitioner is that once the charge-sheet issued to the petitioner on 01.12.2003 has been withdrawn, then there is no reason to deny the petitioner the benefits for the period he remained suspended on account of the said allegation mentioned in the charge-sheet.

It has further been contended that under similar circumstances, the employees have been paid the salary for the period, they remained suspended and the case of the petitioner is similarly situated as of those employees. In order to claim the said benefits, the petitioner has filed a representation dated 07.02.2016 (Annexure P-6) with the Department,

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which according to the petitioner is still pending and has not been decided so far.

Counsel for the petitioner states at the bar that the petitioner will be satisfied at this stage, if a direction is given to the respondents to decide the representation dated 07.02.2016 (Annexure P-6) within the time frame.

Without expressing any opinion on merits, keeping in view the request made by the counsel for the petitioner, the present writ petition is disposed of by directing the respondents to decide the representation dated 07.02.2016 (Annexure P-6), if not already decided, by passing a speaking order within a period of three months from the date of receipt of the certified copy of this order.

In case, the petitioner is found entitled for any relief, then the said relief should also be given within a period of next three months.

16.11.2018
Yogesh Sharma

(HARSIMRAN SINGH SETHI)
JUDGE

	✓
Whether speaking/reasoned	Yes/ No
	✓
Whether Reportable	Yes/ No