

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

**CWP No. 7337 of 2018
Date of decision: 23.3.2018**

Anil Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. J.C. Kapoor, Advocate
for the petitioner.

ARUN PALLI, J. (Oral)

Notice of motion.

Mr. R.K. Doon, AAG., Haryana, present in court, accepts notice on behalf of the respondents. Copies supplied.

In the nature of order I propose to pass, no formal written statement(s)/counter-affidavit(s) on behalf of the respondents are indeed necessary at this stage. Thus, with the consent of the learned counsel for the parties, the petition is being disposed of finally.

The petitioner was appointed as JBT Teacher in the year 2004. However, his services were brought to an end on 24.1.2008. And, vide order and judgment dated, January 19, 2012, rendered in CWP No. 9896 of 2010, this Court set aside the order of termination of the petitioner, for he could not be penalised without affording an opportunity of hearing, and following the procedure envisaged under the rules governing his service conditions. However, the respondents were granted liberty to proceed against the petitioner, if they so desired, but in accordance with law. The claim of the petitioner for back wages was also declined, for he had questioned the order

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of his termination after two years. The petitioner was reinstated in services on 21.6.2012, and continues as such. The limited grievance that he has is; that service rendered by the petitioner before 24.1.2018, and post passing of the order by this Court, and upon his re-joining on 21.6.2012 is not being counted for fixation of his pay, increments etc. The petitioner purports to have even represented to the respondents in this regard, vide representation dated 27.5.2016 (Annexure P-2). But to no avail.

In response, learned counsel for the respondents submits that claim/grievance of the petitioner as also his representation, 27.5.2016 (Annexure P-2), shall be considered and decided within a period of three months from today. And appropriate orders, in accordance with law, shall be passed.

The petition is accordingly disposed of, in the above terms. In the event, the claim of the petitioner is declined, the authority shall pass a comprehensive order assigning reasons in support thereof.

23.3.2018
AK Sharma

(ARUN PALLI)
JUDGE

Whether speaking / reasoned:	YES
Whether Reportable:	NO