

In the High Court of Punjab and Haryana at Chandigarh

CWP-2891-2019

Date of Decision: February 01, 2019

Rakesh Kumar

... Petitioner

Versus

Punjab State Power Corporation Limited, Patiala and others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Ankit Joshi, Advocate,
for the petitioner.

Tejinder Singh Dhindsa, J. (Oral)

Petitioner who was serving on the post of Lineman under the Punjab State Power Corporation Limited, was placed under suspension on 15.01.2013 on account of registration of an FIR against him. It is averred that in the trial that ensued after registration of the FIR culminated in the acquittal of the petitioner vide judgment dated 29.09.2014. Upon a representation having been preferred after acquittal, petitioner was reinstated on the post of Lineman.

The first prayer made in this petition is that petitioner be granted all service benefits pertaining to the period as he had remained under suspension including arrears of salary. It is the contention raised by the counsel that no specific order till date has been passed by the Corporation with regard to the afore-noticed suspension period.

The second grievance voiced in this petition is that after having been reinstated in the year 2014, petitioner had absented from

duty in the year 2015 on account of ill-health. However, having recovered, the Corporation has permitted him to join back on duty on 28.04.2016. It is submitted that even for such period of absence, no order has been passed and conveyed to the petitioner.

Counsel submits that a legal notice dated 25.10.2018 (Annexure P-3) has already been served and he would be satisfied, if the instant writ petition was to be disposed of with a direction to take a final decision thereupon within stipulated time-frame.

Prayer made by counsel is found to be just and reasonable.

In view of the above and without ascertaining the correctness of the averments made in the petition and without going into the merits of the case, the instant writ petition is disposed of with a direction to respondent no.1 to examine the claim/grievance of the petitioner against the backdrop of the legal notice dated 25.10.2018 (Annexure P/3) and to take a final decision thereupon in accordance with law within a period of three months from the date of receipt of certified copy of this order and to convey the same to the petitioner.

Instant writ petition is disposed of.

February 01, 2019
vkd

(Tejinder Singh Dhindsa)
Judge

Whether reasoned / speaking: Yes

Whether reportable : No