

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

CWP-10653-2016

Date of decision: - 02.04.2019

Bikram Singh

....Petitioner

Versus

The State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. R.N. Lohan, Advocate, for the petitioner.

Ms. Safia Gupta, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the challenge is to the order dated 30.09.2015 (Annexure P-1), vide which, the petitioner was dismissed from service on the basis of conviction in respect of an FIR No.56 dated 23.12.2008, registered at Police Station SVB Hisar.

Counsel for the petitioner states that after the dismissal of the petitioner on the basis of the conviction on 30.09.2015, he was acquitted by the Appellate Court, vide order dated 01.10.2015 (Annexure P-2) and difference between the acquittal and the dismissal of petitioner is only of one day.

Counsel for the petitioner further states that after the petitioner was acquitted of the charges, he filed a representation with the respondents on 12.10.2015 (Annexure P-3) for his reinstatement in service.

Though a reply has been filed by the respondents, but no order has been placed on record by which the representation of the petitioner seeking reinstatement in service by withdrawing the order dated 30.09.2015 has been decided.

Keeping in view the fact that the petitioner has already been acquitted of the charges, counsel for the respondents-State states that the respondents will pass an appropriate order on the representation dated 12.10.2015 (Anenxure P-3), considering the claim of the petitioner for reinstatement in service, within a period of two months from the date of receipt of certified copy of this order.

Counsel for the petitioners prays that before any order is passed on the representation dated 12.10.2015 (P-3), the petitioner be given an opportunity of hearing to present his case before the appropriate authority.

The said prayer seems to be genuine, hence accepted.

In view of the above, the present writ petition is disposed of with the direction to the respondents to pass the appropriate orders on the representation dated 12.10.2015 (Annexure P-3), as undertaken above, within a period of two months from today and the petitioner shall be given the appropriate hearing before passing of the said order.

April 02, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No