

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

**CWP-1731-2013 (O&M)
Date of decision: - 05.02.2019**

R.K. Goyal

....Petitioner

Versus

Punjab Small Industries & Export Corporation Limited and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ravish Bansal, Advocate,
for the applicant-petitioner.

Mr. J.S. Ahluwalia, Advocate
for the respondents.

HARSIMRAN SINGH SETHI, J. (ORAL)

CM-1466-CWP-2019

Present application has been filed to implead the legal representatives of petitioner Sh. R.K. Goyal, who unfortunately died on 01.11.2018. Application is duly supported by an affidavit.

Counsel for the respondents have no objection with regard to the grant of the prayer made in the present application.

In view of the above, the present application is allowed.

Legal representatives of Sh. R.K. Goyal, as mentioned in paragraph 3 of

the present application, impleaded as petitioner(s).

Amended memo of parties is taken on record.

CM stands allowed.

CM-1468-CWP-2019

Present application has been filed to place on record the judgment passed by the Special Judge, Patiala on 01.11.2018 in respect of FIR No.29 dated 08.06.2005, registered at Police Station Vigilance Bureau, Patiala (Annexure P-12). Application is duly supported by an affidavit.

Perusal of the judgment dated 01.11.2018 (Annexure P-12) would show that Sh. R.K.Goyal had been acquitted from the charge as alleged against him in FIR No.29 dated 08.06.2005.

Counsel for the respondents have no objection with regard to the grant of the prayer made in the present application.

In view of the above, the present application is allowed. Copy of judgment dated 01.11.2018 (Annexure P-12) is taken on record, subject to all just exceptions.

CM stands allowed.

CWP-1731-2013

In the present writ petition, the challenge is to the order dated 04.10.2012 (Annexure P-1), vide which the case for the grant of annual increments of Sh. R.K. Goyal (since deceased) was kept in abeyance due to the pendency of the criminal case.

Counsel for the petitioner states that during the pendency of the present writ petition, Sh. R.K. Goyal (since deceased) has already

been acquitted by the Special Judge, Patiala, vide order dated 01.11.2018 (Annexure P-12).

Counsel for the petitioner further states that now, in view of the order date 01.11.2018 (Annexure P-12), the respondents are under obligation to reconsider his case for the grant of annual increments, which were withheld, vide impugned order dated 04.10.2012 (Annexure P-1). Counsel for the petitioner argues that the respondents themselves had stated that the case of the petitioner for the grant of annual increments will be reviewed/considered after the finalization of the criminal proceedings pending against him, thus they are under obligation to reconsider the case of Sh. R.K. Goyal for the grant of the increments.

Counsel for the respondents have no objection for the grant of the said prayer and states that after passing of the order by the Special Judge, Patiala dated 01.11.2018 (Annexure P-12) by which the criminal proceedings has come to end, the case of the petitioner will be considered/reviewed as mentioned in the impugned order itself.

In view of the above, the present writ petition is disposed of with the direction to the respondents to pass the appropriate orders in respect of the grant of annual increments to petitioner-Sh. R.K. Goyal (since deceased), within a period of three months from the date of receipt of certified copy of this order. In case after reconsideration, it is found that petitioner-Sh. R.K. Goyal (since deceased) is entitled for the grant of annual increments, the said benefit would also be released to the legal heirs of Sh. R.K. Goyal (since deceased), within a period of two months thereafter. Further, in case petitioner-Sh. R.K. Goyal (since deceased) is

found entitled for any further benefit including revision of pay-scale, which might have been withheld due to the pendency of the criminal proceedings, shall also be considered and appropriate orders be passed in that regard as well.

Present writ petition stands disposed of in the above terms.

(HARSIMRAN SINGH SETHI)
JUDGE

February 05, 2019
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	Yes