

**CWP-17825-2016 (O&M)
Date of decision: 24.07.2019**

HARI OM SOBHTI

...PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Lakhwinder, Advocate for
Mr. P.S. Dhaliwal, Advocate for the petitioner.

Mr. Navdeep Chhabra, DAG Punjab

Mr. J.R. Syal, Advocate for respondent Nos. 2 to 5.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance which is being raised by the petitioner is that the order by which the suspension period of the petitioner has been treated as leave of a kind due, should be quashed and counsel for the petitioner further prays that the petitioner should be paid salary for the said period. Further, the prayer of the petitioner is for the release of the pensionary benefits, which are yet to be released as well as promotion to the higher rank.

Learned counsel for the respondents state that all the benefits for which the petitioner was entitled for have been released. Counsel for the respondents states that though vide Annexure P-4, the claim of the petitioner for treating the suspension period as a duty period was rejected, but later on, on a mercy petition filed by the petitioner, the petitioner has been paid the salary for the said suspension period as well, which fact is not denied by the counsel for the petitioner.

Further, counsel for the respondents states that all the pensionary benefits for which the petitioner was entitled have also been released, which fact is

also not denied by the learned counsel for the petitioner. Learned counsel for the

petitioner only argues that the petitioner was also entitled for promotion to the higher rank.

In the writ petition, no averment has been made as to whether, any person who was junior to the petitioner was promoted to the higher post, if yes, then when? As the petitioner has not stated anything in the writ petition, no relief can be granted to him in this regard but the petitioner is given liberty to approach the respondents by filing an appropriate representation claiming the said benefit.

In view of the above, the present writ petition has been rendered infructuous and disposed of.

24.07.2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No