

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

CWP No.23696 of 2019 (O&M)

Date of Decision.02.09.2019

Shyam Lal

...Petitioner

Vs

State of Haryana and others

...Respondents

Present: Mr. Munish Mittal, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

Learned counsel for the petitioner submits that petitioner had been working in Haryana Police since 24.12.1998 as Constable and thereafter in 2006 promoted as Head Constable. Due to ill luck, petitioner was falsely implicated in FIR bearing No.724 dated 01.10.2015 under Section 384 IPC and Section 7 and 13 of the Prevention of Corruption Act. Accordingly, respondent No.3, Superintendent of Police, Karnal recorded Annual Confidential Report of the petitioner from 01.07.2015 to 31.03.2016 recording adverse entry and communicated. Petitioner against the aforementioned communication, preferred appeal/representation dated 09.08.2016 (Annexure P-1). During the pendency of same, was again communicated adverse remarks from the period 01.04.2016 to 06.07.2016. Again aforementioned communication, representation dated 05.08.2017 (Annexure P-3) was given.

On 01.10.2015, petitioner was suspended but reinstated in 2017. Adverse entries cannot be recorded during the period a person remained under suspension.

Notice of motion.

Mr. R.K. Doon, AAG, Haryana accepts notice for respondents.

Counsel for petitioner shall supply requisite number of copies of complete paper book to counsel appearing for respondents during the course of day, if not supplied already.

Without going into merits and demerits of the matter, I dispose of the writ petition with direction to respondent No.2 to decide representations Annexures P-1 and P-3 dated 09.08.2016 and 05.08.2017 respectively within a period of four months from the date of receipt of certified copy of this order, failing which respondent No.2 shall be liable to pay costs of ₹25,000/- to the petitioner. This condition of imposing costs is only to prevent petitioner from running pillar to post and avail remedy of contempt in case of non-compliance of directions issued by this Court.

The writ petition stands disposed of with the above direction.

(AMIT RAWAL)
JUDGE

September 02, 2019
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No