

Sr. No.110

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

CWP No.25339 of 2019 (O&M)

Date of Decision: 26.09.2019

Mukhtiar Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Amit Shukla, Advocate,
for the petitioner.

Ms. Ambika Bedi, AAG, Punjab.

ARUN MONGA, J.(ORAL)

Petitioner herein seeks issuance of a writ in the nature of mandamus directing the respondents to provide him promotion and to release arrears till date with interest with effect from when his juniors have been promoted to the post of Senior Assistant and thereafter to the post of Superintendent.

2. Learned counsel for the petitioner states that petitioner was deprived of his promotion because FIR was registered against him under Sections 409/467/471/120-B IPC and Section 13(1)(d) of Prevention of Corruption Act. Petitioner was suspended from his service on account of the aforesaid FIR. But during trial, petitioner was found innocent and he was acquitted by learned Additional Sessions Judge, SAS Nagar (Mohali) vide judgment dated 17.12.2009 and, accordingly, he was reinstated and continued on

his service.

3. Petitioner submitted representations dated 11.03.2014 and 14.03.2014 (Annexures P-7 and P-8) regarding promotion but in vain. Hence, the writ petition.

4. Notice of motion.

5. On advance service of the petition, Ms. Ambika Bedi, AAG, Punjab appears and accepts notice on behalf of the State.

6. Given the nature of order being passed, there is no necessity to seek return by the respondents as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to objectively consider his representation dated 14.03.2014 (Annexure P-8) and also by keeping in view the contentions stated in the present writ petition by treating it as a supplementary representation and pass a speaking order, in accordance with law.

8. Let the needful be done within a period of 3 months from the date of receipt of a certified copy of this order.

9. Disposed of in above terms.

26.09.2019

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No