

**Sr. No.114
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CWP No.26277 of 2019 (O&M)

Date of Decision: 16.10.2019

Kamaljit Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Amandeep Singh Rai, 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 reinstate him in service w.e.f. 30.05.2017 and to grant him pay for the period he remained out of service and also to treat the period under suspension as duty period and to pay all consequential benefits arising therefrom.

2. Learned counsel for the petitioner submits that petitioner ought to be reinstated w.e.f. 30.05.2017 i.e. from the date of acquittal. In this regard, he places reliance on the judgment of this Court in case ***Ramesh Kumar Vs. Punjab School Education Board vide CWP No.26185 of 2014 decided on 04.03.2016.***

3. Petitioner was reinstated w.e.f. 25.10.2017 vide order dated 25.10.2017. Petitioner submitted a representation dated 13.11.2017 (Annexure P-5) and sought his dues for the suspension period i.e. 27.09.2016 to 25.11.2017. But the same has not been

adverted by the respondents till date. 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 the representations dated 05.06.2017 and 13.11.2017 Annexures P-3 and P-5 respectively 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 by taking into consideration the judgment of this Court in case ***Ramesh Kumar Vs. Punjab School Education Board*** vide ***CWP No.26185 of 2014 decided on 04.03.2016***, 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.

16.10.2019

vandana

Whether speaking/reasoned

Whether Reportable

(ARUN MONGA)
JUDGE

Yes/No

Yes/No