

Sr. No.163

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

CWP No.37063 of 2019 (O&M)

Date of Decision: 19.12.2019

Dr.Subhash Chander

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.K.D.Sachdeva, Advocate,
for the petitioner.

Ms.Monica Chhibber Sharma, Sr.DAG, Punjab.

ARUN MONGA, J.(ORAL)

Petitioner herein seeks issuance of a writ in the nature of certiorari for quashing the order dated 26.08.2016 (Annexure P-4) vide which the period of suspension from 13.12.2005 to 30.08.2007 was treated as leave of kind due and for issuance of a writ of mandamus for directing the respondents to treat the aforesaid suspension period as duty period and grant him other promotional and monetary benefits with interest at the rate of 12% per annum.

2. In the premise, petitioner also caused issuance of a legal notice dated 04.09.2019, contained at Annexure P-7, but the same has not been adverted by the respondents till date. Hence, the writ petition.

3. During the course of arguments learned counsel for the petitioner also cited the Judgement of this High Court passed in

Sujinder Singh vs. Punjab State Power Corp.Ltd. and others,
2018 (4) SCT 462.

4. Notice of motion.

5. On advance service of the petition, Ms.Monica Chhibber Sharma, Sr.DAG, 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 legal notice dated 04.09.2019 contained at Anenxure P-7, and also by keeping in view the contentions raised in the present writ petition by treating it as a supplementary representation and Judgment *ibid*, 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.

19.12.2019
dharamvir

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No