

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
113 (PROCEEDINGS THROUGH V.C.)**

CWP-9323-2020

Date of decision: 07.07.2020

SANJAY SHARMA

...PETITIONER

V/S

STATE OF HARYANA AND ANOTHER

..RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

**Present: Mr. Adarsh Jain, Advocate,
for the petitioner.**

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court with a grievance that he has not been paid full salary and allowances despite the fact that he was placed under suspension on 25.07.2018 and till date, has not been paid subsistence allowance, except 50%, beyond a period of six months. No decision has been taken by the respondents with regard to increasing the same firstly, after six months to 75%, thereafter to full salary, what to say of reinstatement in service especially when no charge-sheet has been issued and therefore, no enquiry initiated. He, thus, contends that the continuation of the petitioner under suspension is unsustainable.

Highlighting this aspect, petitioner had preferred a representation for his reinstatement in service as also for increase of subsistence allowance from time to time but the same, till date, has neither been considered nor any

decision taken by The Excise and Taxation Commissioner, Haryana-respondent No. 2. Counsel, thus, contends that these representations may be considered and a decision taken thereon in accordance with the statutory Rules.

Notice of motion.

On the asking of the Court, Mr. Sanjay Mittal, Addl. A.G. Haryana, accepts notice on behalf of the respondents.

Having considered the submissions made by the learned counsel for the parties, the present petition is disposed of with a direction to The Excise and Taxation Commissioner, Haryana-respondent No. 2 to consider and decide the representations submitted by the petitioner dated 16.11.2018 (Annexure P-4), 30.01.2019 (Annexure P-5) and 05.07.2019 (Annexure P-6) within a period of two weeks from today.

In case the representations of the petitioner are accepted, the consequential benefits be released to him within a further period of three weeks.

July 07, 2020
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No