

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

128

CWP No.4856 of 2021

Date of Decision: 18.03.2021

Satpal

....Petitioner

VERSUS

State of Punjab and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Vivek K.Thakur, Advocate for the petitioner.

Ms. Akshita Chauhan, AAG, Punjab.

ALKA SARIN, J. (Oral)

Heard through video conferencing.

The limited prayer in the present writ petition under Article 226 of the Constitution of India is for payment of interest on the arrears of salary and other benefits for the period of dismissal till reinstatement of the petitioner.

Learned counsel for the petitioner would contend that the petitioner was appointed as Patwari on 07.04.1994. Thereafter, he was implicated in a case under Sections 7 and 13(2) of the Prevention of Corruption Act, 1988 and was eventually convicted vide judgment dated 23.04.2004 passed by the Special Judge, Kapurthala. He was dismissed from service vide order dated 22.02.2005. An appeal was preferred by the petitioner along with co-accused before this Court by way of CRA-S-1884-SB-2004 and CRA-S-2066-SB-2004 and the same were allowed vide common judgment dated 15.05.2014 whereby the petitioner and his co-

accused were acquitted of all the charges levelled against them. Consequently, respondent no.2 passed order dated 20.10.2014 reinstating the petitioner into service along with benefits due to the petitioner. Learned counsel for the petitioner would further contend that though all the benefits have been paid to the petitioner on his reinstatement, however, he would also be entitled to interest on the delayed payment. Learned counsel for the petitioner further contends that in this regard a legal notice dated 02.12.2019 (Annexure P-3) has been sent to respondent no.2, Deputy Commissioner, Kapurthala. However, no action/decision has been taken on the same. Learned counsel for the petitioner limits his prayer in the present petition and states that he would be satisfied if a direction is issued to respondent no.2, Deputy Commissioner, Kapurthala, to take a decision on the legal notice dated 02.12.2019 (Annexure P-3) in a time bound manner.

Notice of motion.

On the asking of the Court, Ms. Akshita Chauhan, AAG, Punjab has joined the session through video conferencing and accepts notice on behalf of the respondents.

In view of the limited prayer made by learned counsel for the petitioner and without commenting on the merits of the case, the present petition is disposed off with a direction to respondent no.2 - Deputy Commissioner, Kapurthala - to take a decision on the legal notice dated 02.12.2019 (Annexure P-3), in accordance with law, as expeditiously as

possible and in any case within a period of three months from the date of receipt of certified copy of this order.

Disposed off accordingly.

**(ALKA SARIN)
JUDGE**

**18th March, 2021
jk**

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO