

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

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**CWP No.13629 of 2021
Decided on : 27.07.2021**

Rohtas Kanwar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Mohinder Pal, Advocate for the petitioner.

(The proceedings are being conducted through video
conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

The petitioner in the present writ petition filed under Articles 226/227 of the Constitution of India seeks innocuous decision of his appeal dated 23.11.2020 (Annexure P-7), which has been filed before the respondent No.2. Resultantly, he seeks reinstatement in service.

Notice of motion.

Mr. Gaurav Jindal, Addl. AG, Haryana accepts notice on behalf of the respondents.

A perusal of the paper-book would go on to show that the petitioner himself had put up his papers for voluntary retirement and he was permitted to do so by respondent No.4 on 11.11.2019 (Annexure P-1).

Counsel submits that the said situation had arisen on account of lodging of FIR No.144 dated 19.04.2019 under Sections 13, 7 of P.C Act and under Sections 120-B, 193, 201, 205, 297, 34, 420, 464, 465, 468, 471 IPC registered at Police Station Civil Lines, Sonipat. In the said case, the petitioner had been declared innocent in the investigation as per the report dated 26.09.2020 (Annexure P-3).

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It is further submitted that his application for anticipatory bail bearing CRM-M-12078-2020 was dismissed as infructuous on 10.11.2020 (Annexure P-6). He, thus, submits that there was a condition as such in his application for voluntary retirement that he be allowed to join duty again. In such circumstances, the appeal has been filed.

Keeping in view the above, this Court is of the considered opinion that no useful purpose will be served to call upon the respondents for filing reply, as it would cause inordinate delay in finalizing the proceedings.

Accordingly, without commenting upon the merits of the case or the entitlement of the petitioner regarding the said fact, the present petition is disposed of with the directions to respondent No.2 to decide the said appeal dated 23.11.2020 (Annexure P-7) expeditiously within a period of 3 months from the receipt of the certified copy of this order.

Disposed of.

July 27, 2021
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No