

CWP-23274-2021

Date of decision: 17.11.2021

Jaswinder Kaur

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Ashok Bhardwaj, Advocate
for the petitioner.**FATEH DEEP SINGH, J. (ORAL)**

The petitioner has invoked the jurisdiction of this Court in terms of Articles 226/227 of the Constitution of India seeking prayer by way of writ of *certiorari* for quashing of order dated 05.01.2016 (Annexure P-4) passed by respondent No.2 vide which financial benefits other than the subsistence allowance have been declined to the petitioner despite the fact that the petitioner has been acquitted in the criminal case vide judgment dated 17.12.2014 (Annexure P-2) since the same are illegal, arbitrary, unjust and unconstitutional and a writ in the nature of *mandamus* commanding the respondents to pay full back wages to the petitioner from 26.12.2012 to 13.02.2015 i.e. from the date of suspension till reinstatement in service after being acquitted in the criminal case vide judgment dated 17.012.2014 along with @18% per annum.

Notice of motion to the official respondents.

Mr. Nikhil Chopra, DAG, Punjab puts in appearance and accepts notice on behalf of the respondents-State. Copy supplied.

Heard.

Upon hearing learned counsel of both the sides and on perusal of the records, the present petition stands disposed off with the directions to the official respondents to consider the representation dated 13.12.2018 (Annexure P-5) moved by the petitioner and decide the same in accordance with law, by passing a speaking order preferably within a period of one month from the date of receipt of the certified copy of this order.

If found entitled and if there is no impediment for the release of payment, the same be granted to the petitioner without any delay, as per law.

The petition stands disposed off accordingly.

17.11.2021

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No