

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

105

Letter Patents Appeal No.1167 of 2021 (O&M)
Date of Decision: December 7th, 2021

Surender Kumar

...Appellant

Versus

State of Haryana and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Gaurav Mohunta, Advocate
for the appellant.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.2724-LPA of 2021

Prayer in this application is for condonation of delay of 29 days in filing the appeal.

For the reasons mentioned in the application and the submissions made by the counsel for the applicant-appellant, the reason for condoning the delay and the reason for non-filing of the appeal prior in time appears to be justified and, therefore, we accept the prayer made in the application and condone the delay of 29 days in filing the appeal.

LPA No.1167 of 2021

It is the contention of learned counsel for the appellant that the appellant could not be reinstated despite the FIRs on the basis of which he was placed under suspension stood cancelled and, therefore, because of the expiry of the term, the appellant may not be entitled to the relief of reinstatement but the remuneration/honorarium, which the appellant was getting, he would be entitled for the same. Counsel for the appellant very categorically states that during the pendency of the term, he has never been reinstated, rather he was

held to be disqualified for a period of three years.

It would not be out of way to mention here that after the passing of the above referred to order holding the appellant disqualified, he had filed a writ petition challenging the said order i.e. CWP No.3756 of 2021, which is now pending for 07.12.2021.

In the light of the above, we do not find any ground for interfering with the order passed by the learned Single Judge and, therefore, dismiss the present appeal.

(AUGUSTINE GEORGE MASIH)
JUDGE

December 7th, 2021
Puneet

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No