

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

CWP No.14993 OF 2022

DATE OF DECISION : 15.07.2022

Sunil Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. SumitSangwan, Advocate,
For the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of mandamus directing the respondents to give promotion to him to the post of Inspector from the date when his juniors were promoted along with all consequential benefits. Further prayer has been made to pay him salary, allowances, increments along with other benefits during his suspension period i.e., 14.03.2016 to 16.10.2018 and subsequent thereto, including pay fixation by granting benefit of 7th Pay Commission, along with interest @ 24% per annum.

2. Petitioner was appointed as Sub-Inspector in Food and Supplies Department, Haryana and he joined his services on 08.08.2012. FIR No.35 dated 29.01.2016 under Sections 406/409/120-B IPC at Police Station Nangal Chaudhary, District Mahendergarh was registered against the petitioner and was placed under suspension vide order dated 14.03.2016. Later, in police investigation as well as departmental inquiry he was found innocent and was discharged in the aforesaid FIR. He was reinstated in service but did not get benefit including salary, allowances,

increments etc. for the period he remained under suspension. Aggrieved, he approached this Court vide CWP No. 4129 of 2022 which was disposed of vide order dated 03.03.2022 and directions were issued to the competent authority to decide the pending representation.

3. Qua his aforesaid grievance, petitioner also submitted legal notice dated 12.05.2022 (Annexure P-8) but the same has not been adverted till date. Hence, the instant petition again.

4. On advance service, learned State counsel appears and submits that a decision will this time be positively taken by competent authority, either way, on the pending legal notice dated 12.05.2022 (Annexure P-8).

5. At this stage, learned counsel for the petitioner also rather seeks decision on the pending legal notice, as suggested by learned State counsel.

6. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the instant writ petition is disposed of with a direction to the respondents to look into the pending legal notice dated 12.05.2022 (Annexure P-8) of the petitioner and pass an administrative order, in accordance with law, within 30 days.

8. Disposed of accordingly.

JULY 15, 2022
Shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No