

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

**CWP-21862-2022 (O&M)
Date of Decision: 22.09.2022**

Amit Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Ravinder Hooda, Advocate
for the petitioner.

Mr. Pankaj Middha, Addl.A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for setting aside the office order No.98 (P/1) dated 26.05.2016 passed by the respondent No.3 whereby, the petitioner was placed under suspension due to his arrest in case FIR No.69 registered under Sections 147, 148, 149, 186, 188, 353, 436, 511 IPC and Section 25 of the Arms Act, 1959 at P.S. Urban Estate, Rohtak.

2. Grievance is that despite his acquittal in the aforesaid criminal proceedings by the competent court, petitioner continues to be suspended from service. Learned counsel for the petitioner submits that the petitioner has also submitted legal notice dated 27.03.2022 (Annexure P-4), but the same has not been adverted by the respondents till date.

3. On advance service, learned State counsel appears and submits that a decision will be taken by the competent authority, either way, on the pending legal notice of the petitioner by passing a speaking order.

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

5. 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.

6. 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 27.03.2022 (Annexure P-4) of the petitioner and pass an administrative order, giving reasons thereof, in accordance with law.

7. Let the needful be done as expeditiously as possible.

8. Disposed of accordingly.

(ARUN MONGA)
JUDGE

September 22, 2022

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No