

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

LPA-353-2022 (O&M)  
Date of decision:- 06.12.2023  
...Appellant(s)

Hira Lal @ Heera Lal  
Versus

State of Haryana and others ...Respondent(s)  
**CORAM:** HON'BLE MS. JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE  
HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Aditya Yadav, Advocate,  
for the appellant.  
Mr. Deepak Balyan, Additional Advocate General, Haryana.  
\* \* \* \*

**RITU BAHRI, A.C.J. (ORAL)**

This appeal is directed against the judgement and order dated 13.07.2020 passed by the learned Single Judge dismissing the writ petition filed by the petitioner (appellant herein).

Learned counsel for the appellant submits that the appellant was dismissed from service vide order dated 20.05.2014 (Annexure P-3) passed by respondent No. 2. However, the appellant did not file any appeal against this order because he was facing a criminal trial. He further submits that in the criminal trial the appellant was acquitted on 02.08.2016. He further submits that the State of Haryana went in appeal against the judgement of acquittal which was dismissed on 26.09.2018 and thereafter the appellant approached the respondent-authorities to re-consider his case on the basis of the judgement of acquittal. He further submits that a legal notice dated 10.09.2019 (Annexure P-6) was given to consider his case for setting aside the dismissal order dated 20.05.2014 and the present writ petition has been filed in the year 2020 i.e. within two years of the dismissal of the appeal filed by the State of Haryana against the judgement of acquittal.

In view of the aforesaid, we are of the considered opinion that since in the year 2018 the judgement of acquittal has attained finality and the appellant has approached this Court in the year 2020 i.e. within two years, the present appeal is being disposed of with liberty to the appellant to file an appeal against the dismissal order dated 20.05.2014 before the competent authority which shall take a decision and pass final order on merits without going into the issue of delay as the appellant after the judgement of acquittal attained finality on 26.09.2018 had approached this Court in the year 2020.

(RITU BAHRI)  
ACTING CHIEF JUSTICE

(AMAN CHAUDHARY)  
JUDGE

06.12.2023  
Amodh Sharma

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |