

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

CWP-23691-2019

Date of decision : 09.05.2023

Nirmala

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Prabhdeep S. Toor, Advocate
for the petitioner.

Mr. Inderpreet S. Kang, Asstt. Advocate General, Punjab.

PANKAJ JAIN, J. (ORAL)

By way of present writ petition, the petitioner prays for issuance of a writ in the nature of mandamus in the form of directions to the respondents to treat the service of the petitioner from 10th of May, 2014 to 23rd of August, 2015 as on duty.

2. The petitioner who was working as Sweeper with respondent No.3 was suspended for having been booked in FIR No.54 dated 21st of April, 2014, registered for the offences under Sections 302, 201 IPC on 10th of May, 2014. FIR finally culminated in the judgment of acquittal dated 3rd of June, 2015 passed by Sessions Judge, Ludhiana and thereafter though the petitioner was ordered to be reinstated on 24th of August, 2015 however no order has been passed by the authorities w.r.t. the period commencing from 10th of May, 2014 i.e. the date of suspension till her joining back i.e. 23rd of August 2015.

3. The matter is pending for last more than four years. No reply has been filed by respondent No.3. It will be in the interest of justice that the authorities be directed to adjudicate upon the representation made by the petitioner vide Annexure P-8.

4. In view of the above, present writ petition is disposed off with the direction to respondent No.3 to decide the claim of the petitioner as raised in the representation (Annexure P-8) attached with the present writ petition, within a period of eight weeks from the date of receipt of certified copy of this order.

5. In case the authorities find that the claim of the petitioner merits acceptance, the necessary relief be granted to the petitioner within four weeks thereof. However, in case the authorities find that the claim of the petitioner sans merit, the same shall be adjudicated by passing a speaking/reasoned after granting him opportunity of personal hearing to the petitioner.

May 09, 2023
Dpr

(Pankaj Jain)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No