

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(104+245)

CM No.14693-CWP of 2023 and
CM No.11915 of 2023 in/and
CWP No.25056 of 2022 (O&M)
Date of Decision : 04.09.2023

Dr. Amit Kumar ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Aditya Gautam, Advocate for the petitioner.
Mr. Harish Nain, Assistant Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

CM No.11915 of 2023

The present petition has been filed for preponing the hearing of the main writ petition, which now stands adjourned to 16.11.2023.

Notice of the application to the respondents.

Mr. Harish Nain, Assistant Advocate General, Haryana, who is present in the Court accepts notice and raises no objection for the grant of the prayer as made in the present application.

Keeping in view the joint prayer made by the counsel for the parties, the hearing of the main writ petition is preponed from 16.11.2023 to today.

CM No.14693-CWP of 2023

The present application has been filed for placing on record Annexures P-6 and P-7.

Application is allowed.

Documents i.e. Annexures P-6 ad P-7 are taken on record.

CWP No.25056 of 2022

Learned counsel for the petitioner argues that in the present petition, the petitioner is challenging the order dated 08.09.2022 (Annexure P-4) as well as the inaction on the part of the respondent to consider the claim of the petitioner for enhancement of the subsistence allowance.

Learned counsel for the petitioner submits that the grievance raised in the present petition qua the order dated 08.09.2022 (Annexure P-4) by which the petitioner was suspended may be treated as having been not pressed but as a period of more than six months has elapsed since the petitioner has been suspended, the respondent is under obligation to consider the claim as to whether, in the facts and circumstances of the present case, the petitioner is entitled for the enhanced subsistence allowance or not.

Learned counsel for the respondent submits that in case any request/representation is received from the petitioner for the enhancement of the subsistence allowance by giving the details, the same will be considered in accordance with law and an appropriate order will be passed within a period of four weeks from the receipt of copy of this order in case, petitioner is found entitled for any benefit after the said decision, the same will be extended to the petitioner within a further period of four weeks.

Learned counsel for the petitioner submits that keeping in view

CM No.14693-CWP of 2023 and
CM No.11915 of 2023 in/and Neutral Citation No. **2023:PHHC:115703**
CWP No.25056 of 2022 (O&M) **3**

as having been not pressed any further with liberty to file appropriate representation claiming the benefit of enhanced subsistence allowance.

Ordered accordingly.

September 04, 2023
jt

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No