

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(123)

CWP-23971-2023

Date of decision: - 19.10.2023

Subhash Chander

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Aditya Yadav, Advocate,
for the petitioner.

Mr. R.K.S. Brar, Additional Advocate General, Haryana
for the respondents.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to grant financial as well as service benefits for the period starting from 16.10.2006 to 13.08.2019 to the petitioner.

2. Learned counsel for the petitioner has submitted that earlier the petitioner had filed a petition bearing CWP-17624-2006, which was dismissed vide order dated 05.10.2013 and thereafter, the said order was challenged in appeal bearing LPA-345-2014 and the same was allowed, vide order dated 13.08.2019. It is further submitted that on filing a contempt petition, the services of the petitioner were reinstated, vide order dated 05.10.2020 (Annexure P-5) and thereafter, it was mentioned

that the orders with regard to the period not spent on duty, would be passed separately. It is further submitted that no order on the said aspect has been communicated and even the dues of the petitioner in accordance with law have not been paid. It is also submitted that for the grievances of the petitioner, the petitioner had given a representation dated 08.09.2023 (Annexure P-8) to the Director General of Police, Haryana and he would be satisfied in case the competent authority of the respondent authorities considers the same in accordance with law, within a specified time frame and in case the pleas raised by the petitioner are found to be meritorious, then, grant him the appropriate relief.

3. Learned State counsel has submitted that the competent authority of the respondent-State would consider the said representation dated 08.09.2023 (Annexure P-8), filed by the petitioner, in accordance with law and the same would be done within a period of six weeks from the date of certified copy of this order.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of with a direction to the competent authority of the respondent authorities to consider the representation dated 08.09.2023 (Annexure P-8) filed by the petitioner within a period of six weeks from the date of receipt of certified copy of this order and in case the competent authority of the respondent authorities is of the view that the pleas raised by the petitioner are meritorious, then, the necessary relief be granted to the petitioner as expeditiously as possible. In case the competent authority of the respondent authorities is of the view that the pleas raised by the petitioner are meritless, then, a speaking order

rejecting the claim be passed within the aforesaid period of six weeks.

5. It is made clear that this Court has not opined on the merits of the case and the competent authority of the respondent authorities would consider and decide the matter independently, in accordance with law.

October 19, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No