

118 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-25095-2023
Date of decision: 07.11.2023

Daman BhallaPetitioner
V/s
State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Rahul Rampal, Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

The instant petition has been filed under Article 226/227 of the Constitution of India for issuance of writ in the nature of mandamus, directing the respondents for reimbursing two medical bills and 14 days salary of petitioner, which have not been disbursed/reimbursed.

Learned counsel for the petitioner contends that petitioner joined respondent No.2-Trust as Accountant Grade-II in the year 2001. In July, 2017 the petitioner was transferred to Improvement Trust, Jalandhar and thereafter, due to some political and malafide reasons, one FIR No.450 dated 09.09.2017 under Sections 420/467/468/471/409/120-B of IPC and Prevention of Corruption Act was registered against six employees of respondent No.2-Amritsar Improvement Trust including the petitioner. The petitioner was arrested in the aforesaid FIR and was granted concession of regular bail by this Court vide order dated 18.03.2020 passed in *CRM-M-2163 of 2020* and he has been under suspension since September, 2017. Even a departmental enquiry was initiated against the petitioner and other employees of respondent No.2, who were made accused in FIR No.3 and since evidence, which are subject matter of criminal trial in FIR and departmental enquiry were same, thus, vide order dated 13.07.2023,

respondent No.1 stalled departmental enquiry against petitioner and other employees till pendency of criminal trial. Learned counsel further submits that petitioner has submitted representations dated 27.03.2022 (Annexure P-2) 31.12.2022 (Annexure P-3) and 25.03.2023 (Annexure P-4) to the respondents, which have not been taken into consideration till date and the petitioner would be satisfied if necessary directions are given for deciding the representation in a time bound manner.

Notice of motion.

On asking of the Court, Mr. Arun Gupta, AAG Punjab, who is present in the Court, accepts notice on behalf of respondent No.1 and on receipt of advance notice, Mr. Sanjeev Soni, Advocate has put in appearance in Court, accepts notice on behalf of respondents No. 2 and 3 and they not object to the prayer made by learned counsel for the petitioner.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the representation dated 25.03.2023 (Annexure P-4), respondent No.3 is directed to decide the aforesaid representation, by passing a speaking order within a period of 8 weeks from the date of receipt of certified copy of this order with a further direction that if the petitioner is found to be entitled to the claim mentioned in the abovesaid representation, necessary disbursement of funds shall be made to him within a period of 8 weeks thereafter.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

07.11.2023
Sapna