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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-25522-2023

Date of Decision: 05.12.2023

Harpreet Singh

. . . . Petitioner

Vs.

State of Punjab and another

. . . . Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr. Sameer Sachdeva, Advocate,
for the petitioner.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The petitioner was appointed on contract basis on 21.08.2009. While working under the MGNREGA scheme, allegations were leveled against him with regard to an FIR registered under section 7 of the Prevention of Corruption Act, 1988 wherein allegations of demanding bribe of Rs.10,000/- were leveled. On the basis of such allegations and registration of an FIR, the department discontinued the petitioner from contractual appointment vide order dated 16.10.2019.
2. The petitioner had been arrested and had also been suspended by the department. He was released on bail on 12.12.2019, whereafter he has requested the department to revoke his termination. His representations for reinstatement are pending, however the representation which was recommended by the Commissioner, MGNREGA has not been finally decided in his favour. He thereafter served a legal notice but the same has not been answered, and therefore the petitioner has preferred this writ petition with a prayer to direct the respondents to revoke the termination order dated 16.10.2019 and reinstate the petitioner subject

to outcome of the case, by taking cognizance of the representation made by him.

- 3. Learned counsel for the petitioner submits that similar persons against whom there were vigilance cases registered, have been reinstated and have been allowed to work, and the Commissioner has also made observations favourably for the petitioner, and therefore directions ought to be given reinstating the petitioner.
- 4. I have considered the submissions.
- 5. This Court notices that the FIR was registered under the Prevention of Corruption Act, 1988 for allegations of having received bribe of Rs.10,000/- and he was arrested and was released on bail later on. He was working on contract basis and a criminal case is still pending against him.
- 6. Taking into consideration the serious allegations against the petitioner, this Court does not find any reason to direct the respondents for taking a lenient view and reinstate him. If some other persons have been reinstated against whom such like cases are pending, the department ought to examine the said cases also, in the light of the fact that the persons against whom charges of corruption have been leveled, ought not be allowed to have the schemes which are meant for rural employment guarantee and affect the public at large.
- 7. Writ Petition is accordingly *dismissed*.

(SANJEEV PRAKASH SHARMA)
JUDGE

December 05, 2023

Mohit goyal

- 1. Whether speaking/reasoned?
- 2. Whether reportable?

Yes/No
Yes/No