

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(225)

CWP No. 37029 of 2019
Date of Decision : 28.08.2023

Rajender Parshad

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Jai Shree Kaushik, Advocate and
Mr. Ajay Chaudhary, Advocate for the petitioner.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

The present petition has been filed claiming the relief that once the compulsory retirement of the petitioner has been held to be bad by this Court and the petitioner was directed to be taken back in service, the period for which the petitioner remained out, cannot be treated as an extraordinary leave rather the same has to be treated as a duty period.

Learned counsel for the petitioner submits that during the pendency of the present petition, the respondents have already rectified the said mistake and have treated the intervening period for which the petitioner remained out of service as a duty period.

At this stage, learned counsel for the petitioner submits that the petitioner is not being granted the benefit of ACP though, he is in service.

Learned counsel for the respondents submits that the said claim has not been raised in the present petition and in case, any claim is raised by the petitioner to seek the benefit of ACP, the same will be decided in accordance with law within a period of eight weeks of the receipt of any such claim.

Learned counsel for the petitioner submits that keeping in view the said statement of learned counsel for the respondents, the present petition may kindly be disposed of having been not pressed any further with liberty to the petitioner to file appropriate representation claiming the benefit of ACP.

Ordered accordingly.

August 28, 2023
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No