

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-27866-2023

Date of decision : 12.12.2023

Kalyan Chand

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHLPresent: Mr.S.K.Choudhary, Advocate
for the petitioner.

Mr.Ferry Sofat, Addl.A.G. Punjab.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari quashing the impugned order dated 28.11.2017 (Annexure P-8) vide which the petitioner has been suspended. Other prayers have also been made in the present writ petition.

2. Learned counsel for the petitioner has submitted that the petitioner has been suspended for almost 7 years and no departmental action / charge sheet has been issued by respondent no.1 against the petitioner and arrears of subsistence allowance are due to the petitioner. Learned counsel for the petitioner has further submitted that for the aforesaid grievances raised by the petitioner, the petitioner be permitted to give a detailed representation to the respondent authorities and prayed that the competent authority of respondent no.1 be directed to consider the same, in accordance with law.

3. Learned State counsel has submitted that in case any such representation is filed, then the competent authority of respondent no.1 would consider the said representation and decide the same within a period of two months from the date of the receipt of said representation.
4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to the competent authority of respondent no.1 to consider the representation to be filed by the petitioner and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of two months from the date of the receipt of said representation.
5. It is made clear that this Court has not opined on the merits of the case and the competent authority of respondent no.1 would consider and decide the representation independently, in accordance with law.

(VIKAS BAHL)
JUDGE

December 12, 2023.
Davinder Kumar

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