IN THE HIGH COURT OF MADHYA PRADESH AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE ANAND PATHAK

ON THE 2nd OF FEBRUARY, 2024

WRIT PETITION No. 1892 of 2024

BETWEEN:-

DHIRENDRA NATH SINGH RATHORE S/O SHRI LOK NATH SINGH RATHORE, AGED ABOUT 62 YEARS, OCCUPATION: RETIRED 113A ADARSH PURAM BEHIND D.D. NAGAR GWALIOR (MADHYA PRADESH)

.....PETITIONER

(BY SHRI AKSHAT JAIN - ADVOCATE)

AND

1. **M.D. MADHYA PRADESH MADHYA KSHETRA VIDYUT VITRAN CO LTD. NISTHA PARISHAR BHOPAL (MADHYA PRADESH)**

2. **CHIEF GENERAL MANAGER MADHYA PRADESH MADHYA KCHETRA VIDUYAT VITRAN CO LTD. MOTI JHEEL GWALIOR (MADHYA PRADESH)**

3. **DEPUTY GENERAL MANAGER MADHYA PRADESH MADHYA KCHETRA VIDUYAT VITRAN CO LTD. SHIVPURI (MADHYA PRADESH)**

.....RESPONDENTS

(NONE PRESENT)

This petition coming on for admission this day, the court passed the following:

ORDER

1. The present petition under Article 226 of the Constitution has been preferred by the petitioner seeking following reliefs:-

> *"1. Issue a writ in the nature of mandamus directing the respondents to consider the representation annexure P/4 filed by the petitioner in a time bound*

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manner.

2. Direct the respondents to pay the complete salary and emoluments for the period of suspension, as stipulated in order dt. 28.11.2023 vide annexure P/1 with interest.

3. Pass any order which this Hon'ble Court deems fit in the facts and circumstances of the case.

4. Allow the cost of the petition."

2. It is the grievance of the petitioner that he is retired from the post of Junior Engineer in the MPMKVV Company. In year 2007 he was placed under suspension and his suspension period has been reconciled and decided vide order dated 28.11.2023 but incidentally prior to it 31.01.2023 he stood retired. His case regarding period of suspension was decided almost after 16 years. Now benefits are to be awarded in pursuance thereof, but same has not been awarded, therefore, this petition has been filed.

3. From the perusal of facts and circumstances and reliefs sought, it appears that if petitioner's case has been decided in which suspension period has been treated to be service period then it is to be reconciled and benefits are to be awarded as per law and looking to the long period exhausted in coming to the conclusion about the period of suspension, it is imperative that respondents should rise to the occasion and decide the case of petitioner at an expeditious note preferably within one month from the date of submission of representation alongwith certified copy of this order in accordance with law.

4. With the aforesaid, the present petition **stands disposed of.**

(ANAND PATHAK)
JUDGE

Rashid

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