



CWP-822-2020 (O&M) 1

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CWP-822-2020 (O&M)
Date of Decision:16.09.2024

CHHOTI

.... PETITIONER

V/S

MUNICIPAL CORPORATION, CHANDIGARH AND ANOTHER

.... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.J.S.Maanipur, Advocate
Mr. Jasbir Singh, Advocate
Mr. Joypreet Mellu, Advocate
Ms. Chandrika, Advocate
for the applicant/petitioner.

Mr. Suman Jain, Advocate
for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking direction to the respondents to re-consider order dated 03.05.2018 (Annexure P-4) whereby she was terminated on the ground that she was sentenced and convicted under Section 448 of IPC.
2. The petitioner joined respondent-Union Territory, Chandigarh on daily wages in the year 1982 as Beldar. She was regularized in 1987 as Woman Coolie. She came to be transferred to Municipal Corporation, Chandigarh w.e.f. 19.05.2005. An FIR under Section 448, 120-B of IPC and 13 of Prevention of Corruption Act, 1988

was registered against her. She faced trial. She was convicted by trial Court under Section 448 of IPC and sentenced to 06 months’ imprisonment and fine of Rs.500/-. On account of conviction, she was terminated.

3. Mr.J.S.Maanipur, Advocate submits that this Court has not only suspended the sentence but also judgment of conviction, thus, respondents should re-consider her matter.

4. Mr. Suman Jain, Advocate submits that there are allegations of misconduct against petitioner. He expressed his inability to controvert the fact that sentence as well as judgment of conviction has been stayed by this Court.

5. Without commenting upon the merits of the case, I find it appropriate to direct the Chief Engineer, Municipal Corporation, U.T.Chandigarh to re-consider case of the petitioner in the light of order dated 29.05.2019 passed by this Court whereby conviction has been suspended. The authorities would be free to consider conduct of the petitioner. The needful shall be done within 04 weeks from today.

6. Disposed of.

7. Pending miscellaneous application (s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

16.09.2024
Anju

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>