

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 110

Civil Writ Petition No.1655 of 2024
Date of Decision: *April 01, 2024*

Sarwan Kumar

..... PETITIONER(S)

VERSUS

State of Haryana & others

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

PRESENT: - Mr. Ashish Naik, Advocate, for the petitioner.

Mr. Sanjeev Kaushik, Additional Advocate General,
Haryana.

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Tribhuvan Dahiya, J (Oral)

The petition has been filed, *inter alia*, seeking a writ of *mandamus*, directing respondent Nos.1 and 2 to reinstate the petitioner in service revoking his suspension order dated 27.09.2023, Annexure P-3, during the pendency of trial in case FIR No.25 dated 19.09.2023, registered under Sections 7, 7-A of Prevention of Corruption Act, 1988, at Police Station, Anti Corruption Bureau, Hisar Range, Haryana.

2. Learned counsel for the petitioner contends that the petitioner was placed under suspension on account of his involvement in criminal case mentioned above, vide order dated 27.09.2023. He was released on bail on 23.11.2023, but has not been allowed to join the service. Two other employees, who are petitioner's co-accused in the said case, have been allowed to join the service by revoking the suspension vide orders

dated 05.01.2024, Annexure P-14 and P-15. The petitioner being similarly placed, facing similar charges as faced by those employees, is also entitled to reinstatement pending trial.

3. Learned State counsel, appearing on advance notice, contends that appropriate decision to allow the petitioner to join the service will be taken keeping in view the earlier office orders dated 05.01.2024 passed in cases of co-accused facing trial with the petitioner within six weeks.

4. In view of the statement made by learned State counsel, learned counsel for the petitioner has no objection to the petition being disposed of in terms thereof.

5. Ordered accordingly.

(Tribhuvan Dahiya)
Judge

April 01, 2024
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<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>