

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

112

CWP-3518-2024 (O&M)
Date of decision: 26.02.2024

Jatinder Pal

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Rajesh Gupta, Advocate for the petitioner

AMAN CHAUDHARY. J.

1. The present Civil Writ Petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari directing the respondents to re-instate the petitioner on the post of Driver as the petitioner has been ordered to be released on probation.
2. Learned counsel submits that the petitioner was dismissed from service on 22.08.2012 on the basis of conviction dated 18.01.2012 and now, he has been released on probation by this Court vide judgment dated 07.12.2022, Annexure P-4. He relies on the judgment passed by this Court in **Pargat Singh vs. State of Punjab and Others** in CWP-6445-2023, decided on 16.05.2023. In this regard, a legal notice dated 09.10.2023, Annexure P-9, has been served upon respondents, which has yet not evoked any response. He thus, at this stage, on instructions, submits that the petitioner is sanguine of it being considered in a positive manner, in case, a direction is given to the respondents to decide the same in a time bound manner by granting him an opportunity of hearing.
3. Notice of motion.

4. At the asking of the Court, Mr. Charanpreet Singh, AAG Punjab accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.

5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to respondents to consider the legal notice dated 09.10.2023, Annexure P-9 and decide the same, taking note of the judgment as referred to or any other judgment on this point, within a period of 6 months and if found entitled, necessary benefits be granted forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating the petitioner therewith.

(AMAN CHAUDHARY)
JUDGE

26.02.2024
M.Kamra

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