

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

119

CWP-5721-2024
Date of decision: 12.03.2024

Gurinderpal Singh and anotherPetitioners
Versus
State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Fateh Singh Dhillon, Advocate for the petitioners.
Mr. Rajesh Sehgal, Addl. A.G., Punjab.

NAMIT KUMAR J. (Oral)

1. The present petition has been filed by the petitioners under Articles 226/227 of the Constitution of India seeking a writ of mandamus directing the respondents to revoke the order dated 21.10.2021 (Annexure P-1), whereby the petitioners have been placed under suspension and to reinstate them in service in view of their discharge in criminal case bearing FIR No.12 dated 18.10.2021, vide order dated 30.09.2023 (Annexure P-3) passed by the Special Judge, Faridkot. It has further been prayed that directions be issued to the respondents to release arrears of salary, increments and other salary benefits to the petitioners w.e.f. the date of their suspension till reinstatement and to consider the case of petitioner No.2 for promotion to the post of Sanitary Inspector w.e.f. July, 2023 i.e. the date when his juniors have been promoted.
2. Learned counsel for the petitioners submits that after serving advance copy to the respondents, the petitioners have been reinstated in service vide order dated 07.03.2024, however, the other benefits have not been granted. He further submits that for claiming the said relief, the petitioners have also submitted representation dated 06.01.2024 (Annexure P-7), which is still pending consideration with the respondents and at this stage, the petitioners would be satisfied, if

appropriate directions are issued to respondent No.4 to consider and decide the said representation, by passing a speaking order in a time bound manner.

3. Notice of motion.
4. Mr. Rajesh Sehgal, Addl. A.G., Punjab, who is present in the Court, accepts notice on behalf of respondents No.1 to 3.
5. On the asking of the Court, Mr. S.S. Behl, Advocate, who is on the panel of Local Government Department and is present in the Court, accepts notice on behalf of respondent No.4 and has no objection to the innocuous prayer made by learned counsel for the petitioners.
6. I have heard learned counsel for the parties and have gone through the record of the case.
7. Without expressing any opinion on the merits of the case or the claim being made by the petitioners in the present petition, respondent No.4 is directed to consider and decide the claim made by the petitioners in the representation dated 06.01.2024 (Annexure P-7), in accordance with law, by passing a speaking order, within a period of three months, from the date of receipt of certified copy of this order. In case, the petitioners are found held entitled, the necessary benefits be released within a period of four weeks thereafter.
8. The petition stands disposed of, in the above terms.

12.03.2024
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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No