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

CWP-8553-2024

Date of Decision: 19.04.2024

GURWINDER SINGH

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Vivek Salathia, Advocate
for the petitioner.

Mr. Pawan Kumar, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226/227 of Constitution of India is seeking setting aside of order dated 26.07.2023 (Annexure P-5) whereby period from 11.08.2018 to 09.12.2022 has been treated as non-duty period.

2. The petitioner in 2018 was posted at Police Station Sadar, Patti as Head Constable. He along with other police officials came to be implicated in FIR No.15 dated 10.08.2018 registered under Sections 342, 120-B of IPC and Sections 7, 13(2) PC Act, Vigilance Bureau, Amritsar. The Vigilance Bureau conducted investigation and found him innocent. No challan was presented against him. The petitioner and other officials preferred CWP No.3201-2022 titled as “**Gurwinder Singh Vs State of Punjab & Ors**” before this Court which was disposed of vide order dated 26.08.2022 with a direction to respondents to pass fresh order in accordance

with law. The petitioner came to be reinstated by order dated 26.07.2023, however, he has not been granted salary and other benefits for the dismissal period i.e. 11.08.2018 to 09.12.2022.

3. Mr. Vivek Salathia, Advocate submits that along with petitioner Preetinder Singh, Inspector was dismissed from service. He has also been reinstated, however, vide order dated 22.06.2022, the respondent has reinstated him with back wages and the period of dismissal from service has been regularized. The petitioner has filed representation dated 06.10.2023 (Annexure P-6) before the authorities and grievance of the petitioner at this stage would be re-addressed, if respondents are directed to decide his claim in the light of order dated 22.06.2022(Annexure P-7) passed in the case of similarly situated official namely Preetinder Singh.

4. Mr. Pawan Kumar, DAG, Punjab who on advance notice is present in the Court submits that Competent Authority would look into representation of the petitioner and as per law as well considering case of similarly situated employees pass an appropriate order.

5. In the wake of statement of learned State counsel, the present petition stands disposed of with a direction to respondents to decide representation of the petitioner within three months from today.

19.04.2024

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(JAGMOHAN BANSAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No