



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(120)

CWP No. 11131 of 2024
Date of Decision : 14.05.2024

Pankaj Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.K. Bhardwaj, Advocate for
Mr. Amit Kumar Jain, Advocate for the petitioner.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance being raised by the petitioner is that he was implicated in FIR No. 19 dated 10.07.2023, registered under Section 7 and 7A of Prevention of Corruption Act, 1988 read with Section 120-B IPC, Police Station ACB, Faridabad, wherein, the petitioner has already been granted the anticipatory bail but, as the petitioner was busy in exercising his right to get the anticipatory bail, he could not attend the office and now, the respondents are not allowing him to join the duties on the ground of pendency of the FIR, which is incorrect as no departmental proceedings have been initiated against him and he has not been suspended from the duties, hence, respondents are under an



obligation to allow the petitioner to join the duties with all consequential benefits.

2. Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the representations dated 18.09.2023 and dated 20.09.2023, copies of which have been appended as Annexures P-4 and P-5 respectively but the same are still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case appropriate decision on the same is taken by the authorities concerned in a time bound manner so that petitioner does not suffer any prejudice.

3. Notice of motion.

4. On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the representations dated 18.09.2023 and dated 20.09.2023 (Annexures P-4 and P-5) respectively have been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of eight weeks from the date of the receipt of certified copy of this order by passing an appropriate speaking order. Learned counsel further submits that in case, it is found feasible to accept the claim of the petitioner, the same will be accepted, otherwise due reasons will be



mentioned for not accepting the claim of the petitioner in the speaking order to be passed.

5. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

6. Ordered accordingly.

May 14, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No