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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-14886-2022
Date of Decision: 07.03.2024

Vinod Kumar

..... Petitioner

Versus

Haryana Shehri Vikas Pradhikaran and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. R.K. Malik, Senior Advocate assisted by
Mr. Sandeep Dhull, Advocate,
for the petitioner.

Mr. Ravi Kumar Mishra, Advocate for
Mr. Dhananjay Mittal, Advocate
for the respondents.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present is a writ petition filed under Articles 226 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing the suspension order dated 25.07.2018/13.08.2018 (Annexure P-1) and the petitioner be deemed to be reinstated on completion of 180 days and also to pay the subsistence allowance for the period from 13.08.2018 to 12.02.2019 and further direction be issued to grant full salary for the period from 13.02.2019 along with interest.

2. At the outset, learned Senior Counsel for the petitioner stated that during the pendency of the present petition, the inquiry has already been completed and the service of the petitioner has been terminated on 04.10.2023. He further submitted that now the only subject matter which

survives in the present case is for grant of subsistence allowance only because the prayer for quashing of the suspension order does not survive after the termination order has been passed.

3. Both the learned counsels for the petitioner and the respondents are *ad idem* that the present petition can be disposed of with a direction to respondent Nos.1 & 2 to pass an order with regard to the payment of subsistence allowance, which according to the learned Senior Counsel is permissible.

4. In view of the above, the present petition is disposed of with a direction to respondent No.2 to pass an order with regard to the claim of the petitioner for the payment of subsistence allowance within a period of one month from today in accordance with law.

5. In case, the petitioner is aggrieved by any order passed by respondent No.2, then he shall be at liberty to challenge the same.

07.03.2024

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |