



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

211

CWP-10965-2017 (O&M)
Date of decision: 08.05.2024

Balwinder Singh

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. B.S. Baath, Advocate for the petitioner

Mr. Swapan Shorey, DAG Punjab

AMAN CHAUDHARY. J. (ORAL)

1. The present petition has been filed for quashing the order dated 18.07.2016, whereby the respondent No.2 treated the suspension period as without pay and allowances.

2. Learned counsel for the petitioner submits that the challenge in the present petition, was to the order dated 18.07.2016, Annexure P-6, whereby the suspension period from 08.02.2006 to 15.03.2007, was not treated as duty period and he was, thus not granted pay and allowance as also to promote him as Senior Radiographer from 2006. However, during pendency of the present petition, the aforesaid period has been treated as duty period, on account of which, all other consequential benefits have been released, but for consideration of his claim for promotion, from the date that of his juniors. He thus, at this stage, on instructions, submits that the petitioner would be satisfied, in case a time bound direction be given to the respondents to decide the claim of the petitioner regarding promotion, keeping in view the aforesaid development by granting him an opportunity of hearing.

3. Learned State counsel on instructions from Gulzar, Senior Assistant, DHS has no objection to the limited prayer made.

4. In view of the above and without commenting on the merits of the case, this petition is hereby disposed of with a direction to the respondents to consider and decide the claim of the petitioner, taking note of the aforesaid submission, within a period of 6 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to him and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to his interest, the same shall contain reasons and the petitioner shall be free to seek legal redress thereupon.

(AMAN CHAUDHARY)
JUDGE

08.05.2024
M.Kamra

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