

**CWP-25208-2024****1**

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

(123)**CWP-25208-2024****Date of Decision : September 30, 2024****Rajat Kumar Luthera****.. Petitioner**

Versus

State of Punjab and others**.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Ms. Mansi, Advocate, for
Mr. Padamkant Dwivedi, Advocate, for the petitioner.

Mr. Amarpreet Singh Bains, Assistant Advocate General,
Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the grievance of the petitioner is that the petitioner has already completed maximum period of probation of three years of service while working on the post of Medical Laboratory Technician Grade-II but the respondents are not passing an order confirming him so as to grant him certain benefits for which the petitioner become entitled for.

2. Learned counsel for the petitioner submits that the same is not being done keeping in view of the pendency of FIR No.496 dated 08.12.2022 under Sections 323, 325 and 34 of the IPC at Police Station City Ferozepur against the petitioner whereas, the said pendency of an FIR cannot be taken into account as the charges have not been framed in the said FIR so as deny the petitioner the benefit of confirmation on the post in question.

3. Learned counsel for the petitioners further submits that the grievance raised in the present petition has already been raised by the petitioners in the representation dated 01.03.2024 (Annexure P-6) which is still

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pending consideration with the respondents and the petitioners will be satisfied at this stage in case a time bound direction is issued to the respondents to decide the said representation by passing an appropriate speaking order.

4. Notice of motion.

5. Mr. Amarpreet Singh Bains, learned Assistant Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondents.

6. Learned counsel for the respondents submits that in case the representation dated 01.03.2024 (Annexure P-6) has 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 and in case, after the decision any relief is to be extended to the petitioner, the same will be extended, otherwise due reasons will be mentioned in the speaking order to be passed for not accepting the claim of the petitioner for his information and necessary action.

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

8. Ordered accordingly.

September 30, 2024*harsha***(HARSIMRAN SINGH SETHI)****JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No