

CWP-30852 of 2024

2024:PHHC:149502



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

CWP-30852 of 2024

Date of decision: 18.11.2024

Gurdit Singh

.....Petitioner

Versus

Registrar, Cooperative Societies, Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. D.V. Sharma, Senior, Advocate,
with Ms. Shivani Sharma, Advocate, and
Mr. Tushar Sharma-I, Advocate,
for the petitioner.

Mr. Rajesh Sehgal, Addl. A.G., Punjab.

NAMIT KUMAR, J. (ORAL)

1. Present petition has been filed by the petitioner under Articles 226/227 of the Constitution of India seeking quashing of order of dismissal dated 29.08.2017 (Annexure P-4) and for reinstating the petitioner in service with all consequential benefits and thereafter retire him from service w.e.f. 30.06.2022 and pay the retiral dues viz. gratuity, leave encashment and employer's share of employees provident fund along with the security deposit of the petitioner with interest.

2. Learned Senior Counsel for the petitioner submits that the petitioner was dismissed from service vide order dated 29.08.2017 (Annexure P-4) on the basis of conviction in the criminal case in which the petitioner has now been acquitted by this Court vide judgment dated 28.05.2024 (Annexure P-6) and thereafter the petitioner has submitted representation dated 05.06.2024 (Annexure P-7) followed by legal notice dated 03.09.2024 (Annexure P-8) for reinstatement in service. However, neither the petitioner has been notionally reinstated, as the petitioner has already crossed the age of superannuation, nor the said

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legal notice has been replied to. He submits that at this stage, petitioner would be satisfied, if the said legal notice is considered and decided by passing a speaking order in a time-bound frame.

3. Notice of motion.

4. Mr. Rajesh Sehgal, Addl. A.G., Punjab, accepts notice on behalf of the respondents and has no objection to the innocuous prayer made by learned counsel for the petitioner.

5. I have heard learned counsel for the parties and have gone through the record of the case.

6. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.3 is directed to consider and decide the claim made by the petitioner in legal notice dated 03.09.2024 (Annexure P-8) in accordance with law, by passing a speaking order within a period of three months from the date of receipt of certified copy of this order. In case, respondent No.3 is not the competent authority, the matter shall be sent to the competent authority by him.

7. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

18.11.2024
R.S.

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No