



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-33899-2024

Date of decision: 16.12.2024

BIKRAM SINGH

...PETITIONER

Vs.

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Ms. Satpreet Grewal Kapila, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of show cause notice dated 29.03.2023 (Annexure P-5) whereby respondents have initiated proceedings against him under Punjab Police Rules, 1934 (for short '1934 Rules') and direction to respondents to release full back wages for the period petitioner remained out of service.

2. The petitioner is part of Punjab Police. He was dismissed vide order dated 25.08.2006. This Court vide order dated 25.09.2013 (Annexure P-1) passed in *CWP-23398-2011* titled as '*Bikram Singh Vs. State of Punjab and others*', set-aside the order of dismissal from service and remanded the matter back to the Punishing Authority to pass a fresh order in the light of Rule 16.2 of 1934 Rules. A fresh order came to be passed by respondent. The petitioner again preferred CWP-10992-2016 titled as '*Bikram Singh Vs. State of Punjab and another*' before this Court which was allowed vide order dated 16.01.2023. This Court directed the respondents to pass fresh order in the light of earlier order dated 25.09.2013 passed

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by this Court. Pursuant to orders passed by this Court, the respondent has issued show cause notice dated 29.03.2023 calling upon the petitioner to show cause as to why punishment should not be awarded to him.

3. Ms. Satpreet Grewal Kapila, Advocate submits that order of dismissal from service stands set-aside by this Court. Thus, petitioner is entitled to all service benefits including back wages, continuity of service and pension.

4. This Court vide order dated 16.01.2023 and 25.09.2013 has directed the respondents to pass fresh order as per Rule 16.2 of 1934 Rules. This Court has not absolutely set-aside departmental proceedings and declared the petitioner innocent, thus, prayer of the petitioner at this stage is pre-mature. The instant petition at this stage is not maintainable and accordingly dismissed with liberty to petitioner to reply to impugned Show Cause Notice and avail other available remedies.

5. Dismissed.

16.12.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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