



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

**CWP-2482-2025**

**Date of Decision: 10.02.2025**

Sukhbeg Singh

.....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. Sameer Sachdeva, Advocate,  
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

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**JAGMOHAN BANSAL, J. (Oral)**

1. The petitioner through instant petition filed under Articles 226 and 227 of the Constitution of India is seeking modification of order dated 09.08.2024 (Annexure P-2) whereby respondent has denied him salary for the period he remained out of service and declared said period as non-duty period.

2. Mr. Sachdeva submits that petitioner was dismissed from service on 23.11.2020. The foundation of dismissal from service was registration of FIR under Prevention of Corruption Act, 1988. The trial Court vide judgment dated 09.11.2023 acquitted him in criminal proceedings. He was reinstated vide order dated 09.08.2024, however, has been denied pay for the dismissal period and said period has been treated as non-duty period. He may not be entitled for salary till the date of his acquittal, however, he is entitled to salary post acquittal. The period of absence from duty may be treated as duty period.

3. Mr. Aman Dhir, DAG, Punjab, who on advance notice is present in Court, submits that he leaves to this Court to decide question of quantum of back wages and continuity of service.



4. Considering the fact that petitioner is claiming salary post his date of acquittal, this Court finds it appropriate to direct the respondent to pay him salary to the extent of 50% for the period from the date of acquittal to date of reinstatement. The petitioner has been acquitted by trial Court and his ground of dismissal from service was registration of criminal case. As he has been acquitted and remained absent on account of dismissal from service, the period of absence from duty needs to be counted for continuity of service.

5. Ordered accordingly.

6. Disposed of. Let the needful be done within 3 months from today.

10.02.2025  
shivani

(JAGMOHAN BANSAL)  
JUDGE

Whether reasoned/speaking  
Whether reportable

Yes/No  
Yes/No