



CWP-21597-2016

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

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CWP-21597-2016 (O & M)
Date of decision: 20.01.2025

Labh Singh

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Ranjit Singh, Advocate,
for the petitioner.

Mr. Satnam Preet Singh Chauhan, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for quashing the order dated 09.04.2015 (Annexure P-10), 21.05.2015 (Annexure P-11) and 14.08.2015 (Annexure P-15).

2. Learned counsel submits that the petitioner was issued a charge-sheet on 04.05.2011, whereafter he was, by way of order dated 09.04.2015, was punished with one time deduction of Rs.1,000/- from his pension, thereafter, vide order dated 21.05.2015, the period of his suspension from 12.11.2010 to 16.07.2012 was ordered to be treated as leave of kind due, the same was challenged by him in appeal relying on the instructions dated 26.03.1990, with regard to the cases, where minor punishment had been awarded, the period of suspension be treated as duty period, which was rejected by passing a non-speaking order. He relies on



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the judgments in **Krishan Sewak vs. State of Haryana and another** 1997(4) RSJ 162, **Chanan vs. State of Punjab and another** 1980(3) Service Law Reporter 28, **Rajinder Parshad vs. P.O. Labour Court, U.T. Chandigarh and others** 2009(3) RSJ 753, **Dr. M.L.Kamra and others vs. State of Haryana and others** 2009(6) SLR 577, **Krishan Kumar Nain vs. State of Haryana and another** Law Finder Id #509140, **Y.P.Sehgal vs. State of Punjab** Law Finder Id #27305.

3. The aforesaid facts having been brought out, during the course of hearing, learned State counsel on instructions, states that the respondents would not be averse to have a relook at the matter and decide afresh within a period of 04 months by passing a speaking order, taking note of the aforesaid submissions and judgments, which satisfies learned counsel for the petitioner.

4. The matter stands disposed of accordingly and if the petitioner is found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to his interest, the same may be passed after granting opportunity of hearing to him and shall contain reason, whereupon the petitioner shall be free to seek legal redress thereupon.

20.01.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

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