



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

**208**

**RSA-1976-2000 (O&M)**

**Date of decision: 09.02.2026**

State of Punjab and another

.....Appellants

Versus

Sat Pal (since deceased) through his LRs

.....Respondent

**CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**

Present : Mr. Satnampreet Singh Chauhan, DAG, Punjab  
for the appellants.

Mr. S.K. Sharma Budhladewala, Advocate  
for the respondent.

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**NAMIT KUMAR, J. (ORAL)**

1. The instant Regular Second Appeal is directed against the judgments and decrees dated 12.08.1999 and 20.01.2000, passed by the learned Trial Court and First Appellate Court respectively, whereby the suit of the respondent/plaintiff has been decreed and the appeal filed by the State has been dismissed.

2. Parties to the *lis* hereinafter shall be referred to by their original position before the learned Trial Court.

3. Brief facts of the case are that the respondent/plaintiff was serving the Food and Supplies Department since 10.06.1976 as Chowkidar and was convicted and sentenced, vide order dated 30.10.1996, whereby he was ordered to undergo rigorous imprisonment for 07 years with fine of Rs.3,000/- under Section 306 of IPC. Based upon the said conviction, he was dismissed from service with effect

from 31.10.1996, which was challenged by him by filing a suit for declaration, which has been decreed by the learned Trial Court, vide judgment and decree dated 12.08.1999 and the order of dismissal dated 09.10.1996 was set aside and the respondent/plaintiff was held entitled for declaration to the effect that he will continue under suspension till final verdict passed by the Hon'ble High Court i.e. in the appeal filed by the respondent/plaintiff against his conviction and sentence. It was further ordered that the defendants will pass a specific order regarding suspension. The said judgment was challenged by the State of Punjab by filing an appeal before the learned First Appellate Court and the same has been dismissed, vide judgment and decree dated 20.01.2000 and the said judgments/decrees passed by the learned Trial Court and First Appellate Court have been challenged in the instant Regular Second Appeal which was admitted on 14.08.2000 and the execution of the decree passed by the learned Trial Court and affirmed by the learned First Appellate Court, was stayed.

4. During the pendency of the present appeal, the respondent/plaintiff has unfortunately died and his LRs have been brought on record.

5. Learned counsel for the respondent/plaintiff submits that that in the criminal case, the respondent/plaintiff has been acquitted by the Hon'ble High Court, vide judgment dated 28.11.2000 and the son of the respondent/plaintiff, who was also co-accused in the criminal case and was convicted and thereafter was dismissed on the basis of the said conviction, has already been reinstated in service by the department and thereafter has retired from service.

6.            Learned State counsel, on instructions from Mr. Amanpreet Singh, Superintendent and Mr. Jagjit Singh, Clerk, Department of Food & Civil Supplies, Punjab, has submitted that in view of the said developments, the case of the deceased respondent/plaintiff shall be reconsidered in accordance with law, within a period of 03 months from the date of receipt of certified copy of this order and if the LRs of the respondent/plaintiff are found entitled to any benefit, the same shall be released within a period of one month thereafter.
7.            Disposed of in the above terms.
8.            Pending applications, if any, stand disposed of.

09.02.2026

Vinay

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(NAMIT KUMAR)

JUDGE