



CWP-19465-2020 (O&M)

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

Sr. No.215

CWP-19465-2020 (O&M)

Date of decision: 19.03.2026

Rajinder Kumar

..... Petitioner

VERSUS

Union Territory of Chandigarh and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present: Mr. Dhananjay Mittal, Advocate, for the petitioner.

Mr. Maheshinder Singh Sidhu, Addl. Standing counsel
for the respondents.

DEEPINDER SINGH NALWA, J.(Oral)

1 In the present writ petition, the petitioner is praying for issuance of a direction to respondent No.3 to reinstate the petitioner in service as a Home Guard Volunteer.

2. The brief facts of the case are that the petitioner was appointed as a Home Guard Volunteer in the year 2008. An FIR No.263 dated 13.05.2015 was registered against the petitioner for offences punishable under Sections 147, 148, 323, 325, 452 and 506 of IPC at Police Station Manimajra, Chandigarh (Annexure P-2). In light of the



registration of the abovesaid FIR, the petitioner was discharged from service vide order dated 03.07.2015 (Annexure P-3). It transpires that the petitioner aggrieved against the abovesiad FIR, approached this Court for quashing of the FIR. The abovesaid FIR was quashed by this Court vide order dated 25.01.2018 passed in CRM-M-38604-2017 (Annexure P-5). As the basis of discharge of the petitioner, did not survive after the quashing of the FIR by this Court, the petitioner filed representation(s) to the competent authority seeking reinstatement in service. Thereafter, the petitioner submitted another representation dated 16.10.2020 (Annexure P-7) for his reinstatement in service, but no decision was taken by the respondents. As a consequence of this, the petitioner has approached this Court by way of filing of the present writ petition.

3. Written statement has been filed by the respondents. A perusal of the same would show that as per the respondents, the petitioner was discharged on the basis of the registration of an FIR dated 13.05.2015 and that representation dated 16.10.2020 (Annexure P-7) submitted by the petitioner, was considered and the petitioner was informed vide letter dated 01.06.2018.

4. A perusal of the written statement would further show that respondents although have taken into consideration the registration of the FIR registered against the petitioner dated 13.05.2015 (Annexure P-2), but it nowhere mention that the case of the petitioner has been considered



in light of the fact that the abovesaid FIR has been quashed by this Court vide order dated 25.01.2018 (Annexure P-5) passed in CRM-M-38604-2017.

5. Learned counsel appearing on behalf of the petitioner submits that in fact, the petitioner has never been supplied a copy of letter dated 01.06.2018. He further submits that as the FIR has been quashed by this Court, petitioner is entitled to be reinstated in service.

6. Learned counsel appearing on behalf of the respondents submits that light of the submissions made in the written statement filed by the respondents, the petitioner is not entitled for any relief and as such, the present writ petition is liable to be dismissed.

7. I have heard the learned counsel appearing on behalf of the parties at length and perused the record with their able assistance.

8. Taking into consideration the facts that case of the petitioner has not been considered in light of the fact that FIR has been quashed by this Court vide order dated 25.01.2018 (Annexure P-5) passed in CRM-M-38604-2017, without commenting upon the merits of the case, the present petition is hereby disposed of with a direction to respondent No.3 to re-consider the case of the petitioner for reinstatement in service in light of the fact that the basis of discharge i.e. registration of FIR dated 13.05.2015 (Annexure P-2) has been quashed by this Court, in accordance

with law/rules, within a period of 03 months from the date of receipt of certified copy of this order. In case, the claim of the petitioner is not accepted by respondent No.3, a speaking order be passed and a copy of the same be supplied to the petitioner.

9. Pending application(s), if any, shall also stand(s) disposed of.

(DEEPINDER SINGH NALWA)
JUDGE

19.03.2026
Ramandeep Singh

Whether speaking / reasoned	Yes / No
Whether Reportable	Yes/ No