

(2012) 03 P&H CK 0215
In the Punjab And Haryana At Chandigarh
Case No : C.W.P. No. 4646 of 2012

Amarjit Singh

APPELLANT

Vs

State of Haryana and others

RESPONDENT

Date of Decision : 14-03-2012

Acts Referred:

Penal Code, 1860 (IPC) — Section 148, 149, 323, 324, 506

Citation : (2012) 03 P&H CK 0215

Hon'ble Judges : Augustine George Masih, J

Bench : Single Bench

Judgement

Augustine George Masih, J.—Petitioner was appointed to the post of Beldar/Canal Patrol in the Department of Irrigation, Government of Haryana. F.I.R. was registered against him under Sections 148/149/323/324 and 506 of the Indian Penal Code on 16.9.2008. Petitioner was arrested and was in custody from 16.9.2008 to 4.3.2009 when on an application moved by him for grant of bail, which was accepted by the Additional Sessions Judge, Rohtak vide order dated 4.3.2009, he was released on bail. After release on bail the petitioner approached the respondents for taking him back in service and when no response was received from the respondents either in the form of show cause notice, charge sheet or any other communication, the petitioner was forced to serve a legal notice upon the respondents on 18.1.2012 but to this also no response has been received from the respondents. It has been stated in the writ petition that the petitioner is without any salary or subsistence allowance and thus he is finding it difficult to survive. The claim made by the petitioner for reinstatement has been referred to the District Attorney, Rohtak by the Execution Engineer, Irrigation Department, Water Service Division-respondent No. 4 vide letter dated 6.7.2011 but till date nothing has been heard from the respondents. Counsel for the petitioner contends that the petitioner, at this stage, would be satisfied if a direction is issued to the Superintending Engineer, Irrigation Department, Yamuna Water Circle-respondent No. 3, to consider and decide the legal notice dated 18.1.2012 (Annexure P/4) within some specified time. Without

going into the merits of the case or commenting thereupon, the present writ petition is disposed of with a direction to Superintending Engineer, Irrigation Department, Yamuna Water Circle-respondent No. 3 to consider and decide the legal notice dated 18.1.2012 (Annexure P/4) within a period of two months from the date of receipt of a certified copy of the order. Decision so taken be conveyed to the petitioner forthwith.