

(2010) 03 SHI CK 0127
In the High Court Of Himachal Pradesh
Case No : CWP No. 3360 of 2009

Rameshwari Devi

APPELLANT

Vs

State of H.P. and Others

RESPONDENT

Date of Decision : 22-03-2010

Acts Referred:

Citation : (2010) 03 SHI CK 0127

Hon'ble Judges : Kurian Joseph, C.J;R.B. Misra, J

Bench : Division Bench

Judgement

Kurian Joseph, C.J.—The Petitioner, who is Female Health Worker was placed under suspension w.e.f. 23.7.2005 mainly on the charge that she is one of the accused in Sessions case No. 27-M/VII/07 on the file of the Additional Sessions Judge, Fast Track Court, Kangra at Dharamshala and that she was kept in custody for more than 48 hours. The allegation is that the accused had conspired with one Mohit to get the victim married with another accused, namely, Paloo, but the Sessions Court has found that there was nothing incriminating to establish the role played by the accused/Petitioner.

2. The learned Senior Addl. Advocate General further submits that the matter is pending in appeal before this Court. Be that as it may, in view of the fact that the Petitioner has been acquitted based on the finding, referred to above and since the Petitioner has been continuing under suspension for around five years and now she is not doing any work, we do not think that the pendency of the appeal alone to be a reason for continued suspension. Therefore, there will be a direction to the Respondents to re-instate the Petitioner in service forthwith. However, we make it clear that it will be subject to the final outcome of the appeal filed against the judgment of the Sessions Court , referred to above.

3. The writ petition is disposed of, and so also the pending applications.