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

**Civil Writ Petition No.20355 of 2012**
Date of decision: 4th December, 2012

Rakesh Kumar

… Petitioner

Versus

Haryana Vidyut Parsaran Nigam Ltd. and others

… Respondents

**CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR GARG**

Present: Mr. Saurabh Bhardwaj, Advocate for the petitioner.

**RAKESH KUMAR GARG, J. (ORAL)**

Petitioner is an employee of the respondent-department and was working as Peon on 10.04.2002. An FIR No.281 dated 03.12.2005 under Sections 302, 147, 148, 149, 324, 323 IPC was registered at Police Station Sarkaghat against the petitioner and others. The petitioner was arrested in the above said FIR and as a consequence of his arrest he was placed under suspension with effect from 03.12.2005 vide office order No.232 dated 07.03.2006.

It is the further case of the petitioner that after grant of bail, he reported for duty on 28.03.2006. The petitioner was acquitted of the charges vide judgment dated 12.07.2010 by the Sessions Judge, Mandi (HP). The respondents reinstated the petitioner into service vide office order No.258 dated 08.11.2010 and his suspension period was treated as extraordinary leave vide office order No.2 dated 03.01.2011 (Annexure P-5).

It is the grievance of the petitioner that the aforesaid period should be treated as duty period, and thus, the aforesaid order is liable to

be set aside. The petitioner has also submitted that he has already represented against the aforesaid order to the respondents vide Annexure P-6 and the said representation is still pending.

After hearing learned counsel for the petitioner and keeping in view the facts and circumstances of the case, this Court deems it appropriate to direct respondent No.1 to decide the representation (Annexure P-6) of the petitioner, which is stated to be pending before him, in accordance with law within a period of three months from the date of receipt of a certified copy of this order.

Disposed of.

**(RAKESH KUMAR GARG)**
**JUDGE**

**December 4, 2012**
*rps*