

A

THE STATE OF PUNJAB AND ORS. ETC.

v.

SHAMBHU NATH SINGLA AND ORS.

NOVEMBER 22, 1995

B

[K. RAMASWAMY AND B.L. HANSARIA, JJ.]

Service Law :

C

Discharge from service—Criminal case pending—Reinstatement of employee on discharge by criminal court—Period of suspension—Salary and other allowances—Entitlement to—Directions issued.

The State of Punjab has preferred the present appeals against the High Court's judgment directing reinstatement of the first respondent pending criminal prosecution.

D

Disposing of the appeal, this Court

E

HELD : Admittedly the first respondent had been discharged by the Criminal Court for want of proper sanction, and he was reinstated in the service in January, 1988. Consequently, he is entitled to full salary and allowances for the period during which he was kept under suspension.

[583-A]

CIVIL APPELLATE JURISDICTION : Civil Appeal No. 11459 of 1995 Etc.

F

From the Judgment and Order dated 8.8.91 of the Punjab & Haryana High Court in C.M. No. 429 (LPA) of 1991.

G.K. Bansal and Sanjay Bansal for the Appellants.

K.K. Mohan, Pradeep Gupta and Ratan Lal for the Respondents.

G

The following Order of the Court was delivered :

Leave granted.

H

These appeals by special leave arise from the order dated August 8, 1991 of the Division Bench of the Punjab & Haryana High Court directing the reinstatement of the first respondent pending the criminal prosecution.

Since it is now admitted across the Bar that the first respondent had been discharged by the Criminal Court for want of proper sanction, he was reinstated in the service in January, 1988. Consequently, he is entitled to full salary and allowances for the period during which he was kept under suspension. A

The appeals are accordingly disposed of. No costs. B

G.N.

Appeal disposed of.