

Judgement cum Complianced Report as on Dated 13-Mar-18

Sr.No.	CaseNo/Branch	Title	Subject	Judgement Date	Judgement	Received Date	Compliance Date	Compliance By	Remarks
1	<u>CWP 4274/16</u> HR(ME)	Smt.Santosh Kumari v/s State & Ors.	Reg.Suspension Allowance	15-05-2017	<p><i>Regulation of suspension period in the present case is not supported by any provision of law so as to count the suspension period only for the purpose of pension. Moreover, in the present case, deceased Sh. Satish Kumar died while he was on suspension. Thus, order of suspension is abated. Consequently, legal heirs are entitled for monetary benefits as if deceased Satish Kumar, Clerk is in office, since there is no finality in respect of allegation in the disciplinary proceedings so as to treat the suspension period as duty only so as to deny financial benefits. Thus, Annexure P/1 dated 24.09.2013 is not supported by any provision of law.</i></p> <p><i>Moreover, order of suspension abated, while it was in force on 21.05.2013. Therefore, legal representative of deceased are entitled for monetary benefits. Hence, order dated 24.09.2013 (Annexure P/1) is set aside to the extent of denying monetary benefits like pay/salary during suspension period. Concerned respondent is hereby directed to regulate the suspension period from 12.05.2011 to 20.05.2013 as a duty for all purposes including financial benefits like difference of pay if the subsistence allowance has been paid to the deceased employee during the intervening period from 12.05.2011 to 20.05.2013. If subsistence allowance is not paid, entire pay which was due to the deceased Sh. Satish Kumar be paid to the legal heir/petitioner within a period of three months from today.</i></p> <p><i>6. Accordingly, instant writ petition stands allowed.</i></p>	27-06-2017	14-08-2017	DEO Jhajjar	LPA has been filed by DEO Jhajjar, Decision received and file put up to Higher Authority