



*LPA-3199-2024 (O&M)*

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

**CM-7874-LPA-2024 in/and  
LPA-3199-2024 (O&M)  
Date of Decision: 10.03.2025**

BHANWAR SINGH

. . . . Appellant

**Vs.**

THE STATE OF HARYANA AND OTHERS

. . . . Respondents

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**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA  
HON'BLE MS. JUSTICE KIRTI SINGH**

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Present: Mr. Ashok Kaushik, Advocate  
for the appellant.

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**SANJEEV PRAKASH SHARMA, J.(Oral)**

1. The present LPA assails the order dated 23.01.2024 passed by the learned Single Judge, whereby the claim of the appellant/petitioner for grant of salary for the period during which he remained under suspension was rejected.
2. Learned counsel submits that the petitioner was acquitted of the charges in the criminal case, and therefore, he should have been paid the entire salary for the period during which he remained under suspension. He submits that the punishment awarded to him was a minor penalty of stopping of one grade increment without cumulative effect. In view thereto, the petitioner was entitled to salary for the period of suspension.
3. We have considered the submissions. We find that the suspension period, so far as the present case is concerned, is for only four months



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- i.e. from 07.08.2007 to 06.12.2007. In view thereto, there would be no effect on his increment or the salary for future.
4. If the decision is taken by the authorities of only releasing subsistence allowance, the power is available with the authorities to take an independent decision in terms of Rule 7.3 of the Punjab Civil Services Rules (as applicable to Haryana), which has been noticed by the learned Single Judge.
  5. Keeping in view thereto, the order passed by the learned Single Judge does not warrant any interference. The appeal is accordingly dismissed. We also find that the appeal is highly belated and suffers from delay of 287 days. Reasons for delay are not coming forward. The appeal is also dismissed on the ground of delay and laches.
  6. It is however made clear that the question whether salary should be withheld for the suspension period in all cases where a minor punishment is awarded, would be examined independently and is left open.
  7. All pending applications also stand disposed of accordingly.

**(SANJEEV PRAKASH SHARMA)**  
**JUDGE**

**(KIRTI SINGH)**  
**JUDGE**

**10.03.2025**

*Mohit goyal*

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|-------------------------------|--------|
| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable?        | Yes/No |