

(ii) The quashing of Annexure P/1 shall lead to withholding of two annual increments with reinstatement.

(iii) The petitioner is thus directed to be reinstated in service with continuity in service but without back wages in view of delay and laches in approaching this court."

The order passed by the Single Judge has been confirmed by the Division Bench which order is presently under challenge.

Heard Ms. Saurabh Mishra, learned AAG in support of the petition.

We see no reason to take a different view in the matter.

However, considering the fact that 2 ½ years have elapsed since the passing of the order by the Single Judge, it will be in the interest of justice if direction No. 3 in the order passed by the Single Judge is modified to the extent that the respondent be reinstated in service in continuity but without back wages.

The petitioners are directed to reinstate the respondent in service on or before 10.09.2021.

Thus, the back-wages upto to such reinstatement of the respondent need not be made over to the respondent but he shall be entitled to continuity in service.

With the aforesaid modification, this Special Leave Petition is dismissed.

Pending applications, if any, shall stand disposed of.

(INDU MARWAH)
COURT MASTER (SH)

(VIRENDER SINGH)
BRANCH OFFICER