

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.11575 of 2015 (O&M)
Date of Decision: 22.12.2015

Balwinder Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Dheeraj Mahajan, Advocate,
for the petitioner.

Mr. Harkesh Manuja, Addl. AG, Punjab.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.

CM No.14206 of 2015

The present application has been filed under Order 1 Rule 10 CPC for impleading the Secretary, Government of Punjab in the Department of Agriculture and Director, Agriculture, Punjab as party respondents No.5 & 6 for them to answer the petition.

The application is allowed as prayed for.

The amended memo of parties is taken on record.

Main Case

Reply filed in Court today. Taken on record. Copy supplied. It is revealed that the matter has no concern with the Forest Department. The case pertains to the Agriculture Department.

On instructions, Mr. Manuja submits that the petitioner's case

cannot be considered for regularization since the petitioner worked as a Beldar in the ATMA Scheme sponsored by the Central Government.

The petitioner has been working in the scheme for the last 13 years. He was appointed on compassionate grounds on the death of his father in harness. His case for regularization has been recommended and forwarded to the superior authorities but no final decision has been taken by the competent authority.

Mr. Manuja points out that the State disputes that appointment of the petitioner was on compassionate grounds. No opinion is expressed as the matter is remanded for the consideration of the Administrator who take a decision on this as well.

In the circumstances instead of issuing notice of motion to the State and receiving its response in writing, it would serve the ends of justice to knowing the first instance of the view of the Administrator on the grievance of the petitioner. Therefore, this petition is disposed of with a direction to the competent authority amongst newly added respondents No.5 and 6 to take a decision on the case of the petitioner by treating this petition as a representation. The competent authority would keep in mind the correspondence resting at Annexures P-5 and P-6. The petitioner would be heard and speaking order be passed on his claim within three months from the date of receipt of certified copy of this order.

The petition stands disposed of accordingly.

(RAJIV NARAIN RAINA)
JUDGE

22.12.2015
manju