

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

**CWP No.5935 of 2015 (O&M)  
Date of decision: 31.03.2015**

Jai Bhagwan

... Petitioner

Vs.

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Anurag Jain, Advocate  
for the petitioner.

**AMIT RAWAL J. (ORAL)**

The petitioner has approached this Court by challenging the impugned order dated 27.11.2014 (Annexure P-5), which was passed on the basis of representation/application dated 14.10.2014 (Annexure P-4), wherein the petitioner has requested the authorities to permit him to join the service as his service had been converted into probation and cost of litigation was imposed.

The representation did not indicate that the order dated 17.09.2014 passed by this Court, had been enclosed.

Be that as it may, respondent No.2- the Director General of Prisons, Haryana, Panchkula, rejected the representation vide

order dated 27.11.2014. The said order reads as under:-

*“With reference to the aforesaid subject and with reference to your application dated 14.10.2014.*

*You are informed that your application dated 14.10.2014 after consideration has been filed.”*

From the perusal of the aforementioned order, it is evident that there is non-application of mind, much less cogent reason. It is expected that the authorities were required to pass an order by applying mind while declining the representation of the delinquent employee. Since the order suffers from the non-application of mind and as well as judicial scrutiny.

I deem it appropriate to dispose of the present writ petition and remand the matter back to respondent No.2- the Director General of Prisons, Haryana, Panchkula, to pass fresh order by giving reasoning and after taking into consideration the representation of the petitioner Anneuxre P-4 or any additional information/representation, which the petitioner may file within a period of two months from the date of receipt of a certified copy of this order. In case, the claim of the petitioner is accepted, then consequential benefits, if any, be given to the petitioner, within a further period of two months. In case, respondent do not grant any relief then a well reasoned and speaking order be passed and conveyed to the petitioner, in order to seek redressal of his grievances, if any, in accordance with law.

Accordingly, the writ petition is disposed of.

(AMIT RAWAL)  
JUDGE

March 31, 2015  
savita