

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

**Civil Writ Petition No. 659 of 2015
Date of Decision: 15.1.2015**

Sh. Khajan Singh

.....Petitioner

Vs.

Kaithal Cooperative Sugar Mill Ltd and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. J.K.Goel, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Feeling aggrieved against the alleged inaction on the part of respondent authorities, petitioner has approached this Court, by way of instant writ petition under Article 226/227 of the Constitution of India, seeking a writ in the nature of Certiorari/Mandamus.

Learned counsel for the petitioner, at the very outset, fairly states he does not intend to press this writ petition qua the writ of Certiorari, for the time being. He further submits that after a totally misconceived reply dated 14.10.2014 (Annexure P-12) to the legal notice of the petitioner, he sought information under the Right to Information Act, 2005, which was supplied to him by the respondent Sugar Mill vide communication dated 15.12.2014 (Annexure P-14) pointing out that there was no qualification prescribed for the post held by the petitioner. This was the only ground pointed in the reply Annexure P-12, denying regularisation to the petitioner. He also

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submits that given an opportunity, petitioner shall approach the competent authority, i.e. the Managing Director, Kaithal Cooperative Sugar Mill Ltd. Kaithal-respondent No.2 by moving a fresh legal notice on the basis of information supplied to the petitioner vide Annexure P-14 within a period of four weeks from today and he may be directed to consider and decide the same, within a reasonable time.

Having heard the learned counsel for the petitioner and without expressing any opinion on the merits of the case, lest it should prejudice the rights of either of the parties, the the Managing Director, Kaithal Cooperative Sugar Mill Ltd. Kaithal-respondent No.2 is directed that if the petitioner approaches him by moving an appropriate fresh legal notice within a period of four weeks from today, he shall consider and decide the same, at an early date by passing an appropriate order thereon, strictly in accordance with law, but in any case within a period of three months from the date of receipt of legal notice from the petitioner.

With the abovesaid observations made and directions issued, present petition stands disposed of.

(RAMESHWAR SINGH MALIK)
JUDGE

15.1.2015
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