

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

CWP No.13796 of 2016 (O&M)

Date of decision:15.07.2016

Jai Parkash

.. Petitioner

Vs.

State of Haryana & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Vivek Goyal, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

The petitioner, who is presently serving as Legal Officer under the Department of Development and Panchayats, State of Haryana has filed the instant writ petition seeking issuance of directions to the respondent/authorities to consider his claim for promotion to the post of Deputy Director Panchayats (Legal).

During the course of arguments, it has transpired that the solitary cadre post of Deputy Director Panchayats (Legal) is presently manned by a deputationist. In the petition, there is no challenge to the action of the respondent/department as regards manning of the post in question by a deputationist. Neither has any prayer been made calling upon the respondent/department to repatriate such official who is serving on deputation.

Under such circumstances, the prayer made in the instant petition cannot be accepted.

Confronted with such a situation, counsel prays for withdrawal of the present petition with liberty to file a petition afresh with better particulars as also to lay a challenge to the action of the respondent/

department in having resorted to the mode of filling up the post in question by way of deputation on all such grounds that may be available to the petitioner in accordance with law.

Petition stands dismissed as withdrawn.

15.07.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**