

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 15511 of 2016 (O&M)

Date of Decision: 03.08.2016.

Ashok Kumar

--Petitioner

Versus

State of Haryana and others

--Respondents

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

Present:- Mr. A.K. Bura, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

Pleadings on record would indicate that the petitioner was engaged as a part time Sweeper in Govt. Senior Secondary School, Sahazadpur, District Sonapat on 13.6.1996.

Placed on record is memo dated 15.7.2014 at Annexure P-7, issued from the office of Director, School Education, Haryana and addressed to the D.E.O., Sonapat and which would indicate that services of the petitioner have been directed to be regularized on the post of Sukh Sahayak.

The grievance raised in the present petition is that inspite of such order dated 15.7.2014 (Annexure P-7) the petitioner has not been treated by the respondent department as a regular employee. Prayer is for issuance of a Writ of Mandamus directing the respondents to give effect to the letter memo dated 15.7.2014 at Annexure P-7 and to allot a place of posting to the petitioner enabling him to join his duties on the post of Sukh Sahayak.

In the light of such submissions this Court would be inclined to dispose of the petition with a direction to respondent no.2 i.e. the Director,

Secondary Education, Haryana to look into the matter for passing of appropriate directions.

However, there is yet another aspect of the matter. Pleadings on record would also indicate and it is the case of the petitioner himself that he had absented from his duty in the year 2012 on account of illness. It has also been averred that after having recovered the petitioner had approached the Principal of the school concerned armed with the requisite medical certificates but had not been permitted to join. Counsel has himself conceded that since 9.7.2012 the petitioner has not discharged his duties.

Under such peculiar circumstances, while disposing of the writ petition, respondent no.2 i.e. Director, Secondary Education, Haryana is directed to look into the matter in the light of a legal notice dated 27.8.2015 (Annexure P-10) i.e. stated to have been already served and to thereafter pass appropriate orders as he may deem fit.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

03.08.2016
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Whether speaking/reasoned: Yes

Whether Reportable: No