

**CM No. 15598-CWP-2017 in/and
CWP No. 16428 of 2017**

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

**CM No. 15598-CWP-2017 in/and
CWP No. 16428 of 2017
Date of Decision: 29.11.2017**

Dilbag Singh

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Vikram Singh, Advocate,
for the applicant-petitioner.

AMOL RATTAN SINGH, J. (ORAL)

CM No. 15598-CWP-2017

Pursuant to the order of this Court dated 27.07.2017, the applicant-petitioner seeks to place on record certain documents, i.e. two sets of instructions issued by the Engineer-in-Chief, Haryana, Public Health Engineering Department, on 22.03.2012 and 13.10.2010, as Annexure P-3 (colly.), and an order of this Court passed in CWP No. 6296 of 2016 on 01.06.2016, as Annexure P-4.

No notice having been issued in the main petition itself, the application is allowed and the aforesaid documents are taken on record as Annexures P-3 (colly.) and Annexure P-4 respectively, subject to all just exceptions.

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Learned counsel for the petitioner submits that the petitioner having been replaced by another contractual employee within four months of the

petitioners' removal, such removal being, as per the resolution Annexure P-1, on

account of the tubewell not working, the petitioner would have a prior right of being reconsidered for appointment to the post in question, over and above respondent no. 5.

More than 11 months having gone by before this petition was filed, after the appointment of respondent no. 5 in August 2016, whether or not the petitioner would have a right can also entail leading of evidence, as per any right under labour laws, and therefore, without making any comment whatsoever on the merits of the case of the petitioner, the petition is dismissed with liberty to the petitioner to approach the Labour Court for redressal of his grievances.

November 29, 2017
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No.