

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

**Civil Writ Petition No.22755 of 2017
Decided on : 06.10.2017**

Ravinder Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. Sumit Sharma, Advocate
for the petitioner.

G.S. Sandhawalia, J. (Oral)

The petitioner seeks a writ in the nature of mandamus under Article 226 of the Constitution of India for condoning the gap period of 87 days i.e. 06.04.2016 to 01.07.2016 and disburse all connected benefits of service on account of the fact that there is no fault on his behalf. The direction is also sought for consideration of the request which has been raised in the legal notice dated 01.08.2017 (Annexure P-10).

It is the case of the petitioner that while serving as Lecturer of Sociology, he had been transferred on 01.04.2016 from GHS Likhi, District Palwal to GSSS Banchari, District Palwal. While reporting on 06.04.2016 (Annexure P-3) at the place of posting, on account of only one sanctioned post and one guest lecturer, namely, Mamta Bhatt working he could not join. Directions were issued only on 01.07.2016 (Annexure P-7) to the Principal of School at Banchari for allowing him to join duty and for adjustment of the said lecturer. Resultantly, he joined duty only on 02.07.2016 and thus the prayer for condoning the period of 87 days has been made.

Notice of motion.

Ms. Shruti Jain Goyal, AAG, Haryana accepts notice on behalf of the respondents. Copies of the paper-book have been supplied.

Keeping in view the above, no useful purpose will be served by calling upon the respondents to file reply, since the decision making process is not complete.

Accordingly, without commenting upon the merits of the case or the entitlement of the petitioner, the present writ petition is disposed of with the direction to respondent No.2 to decide the legal notice dated 01.08.2017 (Annexure P-10) within a period of 3 months from the receipt of the certified copy of this order.

Needless to say that, in case, any adverse order is to be passed, the same be conveyed to the petitioner by passing a speaking order.

OCTOBER 06, 2017

Naveen

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No