

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

CWP No. 16446 of 2018

Date of Decision: 09.07.2018

Sumit and others

...Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Y.P. Khullar, Advocate for the petitioners.

RAJIV NARAIN RAINA, J. (Oral)

The issue in this petition is remitted to the competent authority and the petitioner is relegated to his remedy in the same terms as in CWP No. 9667 of 2018, Naiter Pal and others Vs. State of Haryana and others decided on 20.04.2018 by passing the following order:

This petition is disposed of with a direction to the respondents to consider the case of the petitioners in the light of the instructions dated 23.07.2014, where a decision has been taken by the Government for direct appointment of Safai Sewaks/Sweepers by abolishing the contract based appointment system in the Municipalities. The competent authority would also pay due regard to the letter dated 16.02.2015 placed as Annex P-2 with the writ petition addressed by the Commissioner, Palwal to the Executive Officer, Municipal Council, Palwal including all other instructions issued in this regard.

The competent authority is directed to take a final decision within a period of three months from the date of receiving of certified copy of this order. The order must be reasoned and conveyed to the petitioners within the same timeframe.

Disposed of as such.

The petitioners claim that they are similarly circumstanced, therefore, while taking the decision under directions in the aforesaid writ petition, if not already taken, will also apply to the present case and to all the employees similarly situated. The respondents to ensure that no similarly circumstanced incumbent person on the post should be compelled to come to this Court. In case, they do, exemplary costs will be imposed on the erring officer/official to be paid from his own pocket and amount would not to be reimbursed by the Department/State Government.

The petition is disposed of as above.

(RAJIV NARAIN RAINA)
JUDGE

09.07.2018
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Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*