

104

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-28826-2017 (O&M)
Date of decision-08.03.2018

Labh Singh

...Applicant-Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. PKS Phoolka, Advocate for the applicant-petitioner.

JITENDRA CHAUHAN, J. (Oral)

CM-3265-CWP-2018

Application is allowed as prayed for.

Annexure P-3 is taken on record subject to all just exceptions.

CWP-28826-2017

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ, in the nature of mandamus directing respondents to grant reinstatement/rejoined to the petitioner as Home Guard in equivalence to respondent Nos.3 to 29.

Learned counsel for the petitioner contends that case of the petitioner is at par with respondent Nos.3 to 29 who were removed from the service and have been re-instated. There is no inquiry or complaint pending against the petitioner and he is at par with respondents who have been allowed to rejoin. He further states that at this stage he would be satisfied, if a direction is issued to respondent No.2-Director General of Police-cum-

Commandant General Punjab (Home Guards) and Director Civil Defence, Punjab, Police Head Quarter, Sector-17, Chandigarh to consider and decide the representation dated 03.11.2017 (Annexure P-2).

Heard.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.2-Director General of Police-cum-Commandant General Punjab (Home Guards) and Director Civil Defence, Punjab, Police Head Quarter, Sector-17, Chandigarh to consider and decide the representation dated 03.11.2017 (Annexure P-2) within six weeks from the receipt of the certified copy of the order. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible to him, in such eventuality, the consequential relief be allowed to him, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible or made out, in that case, a speaking order be passed in the matter.

(JITENDRA CHAUHAN)
JUDGE

08.03.2018

vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No