

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

CWP No.4627 of 2018
Date of decision: 27.02.2018

Hemant Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Raman Chawla, Advocate for the petitioner.

ARUN PALLI, J. (Oral)

Notice of motion.

Confined to respondents No.1 to 5 only, at this stage.

Mr. RK Doon, AAG, Haryana, present in Court, accepts notice on behalf of respondents No.1 to 5. Copies furnished.

For the nature of order I propose to pass in the matter, no formal written statements/counter affidavits on behalf of the respondents are indeed necessary, at this stage. Thus, with the consent of the parties, the petition is being disposed of finally.

The petitioner is employed with the respondent-department as Peon, against a sanctioned post. His service conditions are governed by Haryana State Secondary Education Field Offices (Group-D) Service Rules, 1998. The limited grievance that he has is; that he has been compelled to discharge even the duties of a Chowkidar, which is contrary to his service conditions. Reliance is placed upon the orders and judgments of this Court,

dated 03.10.1990, rendered in CWP No.12230 of 1989 (Annexure P3), 17.12.1992, rendered in CWP No.15045 of 1991 (Annexure P4) and 29.03.2016, rendered in CWP No.8462 of 2015 (Annexure P5). The petitioner purports to have repeatedly represented to the respondents in this regard. But to no avail. Even the legal notice dated 15.12.2017 (Annexure P7), the respondents have been served, has failed to evoke any response.

In response, learned State counsel submits that the claim/grievance of the petitioner, as also the legal notice dated 15.12.2017 (Annexure P7), shall be considered, and dealt with by the respondent within a period of four weeks from today. And appropriate orders, in accordance with law, shall be passed, and communicated to the petitioner through his counsel.

The petition is accordingly disposed of in the above terms.

However, in the event the claim of the petitioner is declined, the respondent-authority shall pass a comprehensive order assigning reasons in support thereof.

27.02.2018
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:	YES
Whether Reportable:	NO