

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

Amit Kumar
2018.01.12 14:36
I attest to the accuracy and
integrity of this document

**CWP No.521 of 2018
Date of decision: 12.01.2018**

Dinesh Kumar

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. S.K. Verma, Advocate for the petitioner.

ARUN PALLI, J. (Oral)

Notice of motion.

Mr. Siddharth Sanwaria, DAG, Haryana, present in court, accepts notice on behalf of the respondents. Copies supplied.

In the nature of order, I propose to pass, no formal written statement(s)/counter-affidavit(s) on behalf of the respondents are indeed necessary at this stage. Thus, with the consent of the parties, the petition is being finally disposed of.

The petitioner was appointed as Demonstrator in the department of Pathology in BPS Government Medical College for Woman, Khanpur Kalan, Sonapat, on 19.2.2015. In terms of the letter of appointment, probation period of the petitioner was for two years, which could be extended, if necessary, for three years. Petitioner purports to have successfully completed his probation period in March 2017. His case is that in December, 2017, applications were invited by Pt. B.D. Sharma University of Health Sciences, Rohtak, for making appointments of Teachers (Assistant Professors) in various departments. And the petitioner being fully eligible, applied for the post of Assistant Professor in the department of Blood Bank

through proper channel. Accordingly, a letter dated 21.12.2017 (Annexure P-4) was written to respondent No.2, to issue experience certificate for having served in the Blood Bank and Pathology department as also the no objection certificate. The interview for the post of Assistant Professor in Pt. B.D. Sharma University of Health Sciences, Rohtak, is slated to take place on 16.1.2018. However, the requisite certificates have not been released by the respondents thus far. Even the reminders sent by the petitioner, dated 4.1.2018 (Annexure P-6), has failed to evoke any response. Though, on a personal visit petitioner was informed that in terms of the letter dated 8.11.2017 (Annexure P-7) issued by respondent No.1, no objection certificate could not be issued to the employees to apply for the job elsewhere during the period of his probation. Whereas, the petitioner has since completed his probation period. And in any event, letter dated 8.11.2017 is prospective in nature. It is urged that in the event, the petitioner is not issued the requisite certificates, he shall suffer an incalculable loss.

In response, learned State counsel submits that claim of the petitioner as also his representations shall be considered and decided by the respondents. And appropriate orders in accordance with law shall be passed by 13.01.2018.

The petition is accordingly disposed of, in the above terms.

12.01.2018
Ak Sharma

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES
NO