

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

LPA-1225-2018 (O&M)

Date of decision:- 23.10.2018

Ramdhari Hooda

...Appellant

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present:- Mr. Narender Pal Bhardwaj, Advocate,
for the appellant.

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KRISHNA MURARI, C.J. (ORAL)

This intra court appeal under clause X of the Letters Patent is directed against the judgement and order dated 17.07.2018 passed by learned Single Judge dismissing the writ petition filed by the petitioner (appellant herein) with liberty to pursue administrative remedies available in law.

2. Appellant invoked the jurisdiction conferred upon this Court by Article 226 of the Constitution of India seeking mandamus commanding the respondents to consider his case for re-employment on the post of Deputy Collector in the Irrigation and Water Resources Department, Haryana w.e.f. the date (21.05.2018) his junior Rajinder Prashad Sharma, Deputy Collector (Retired) had been given re-employment and as per Haryana Government instructions dated 20.06.2018.

3. Admittedly, the aforesaid claim of the appellant is based on a policy which permits two years of re-employment under exceptional circumstances with prior approval of the Council of Ministers. It is equally correct that after the

appellant retired on attaining the age of superannuation, recommendations were made by the authorities for his re-employment and the matter seems to be still pending at the level of the State Government.

4. In the facts and circumstances and particularly the relief claimed, we do not find any illegality in the view taken by the learned Single Judge in dismissing the writ petition with liberty to the appellant to pursue administrative remedies. However, looking into the facts and circumstances, we modify the part of the order of the learned Single Judge whereby liberty has been given to the appellant to pursue administrative remedies by directing that consideration of the claim for re-employment of the appellant pending before the State Government may be disposed of by the concerned authority by means of a reasoned and speaking order in accordance with law within a period of three weeks from the date of receipt of certified copy of this order.

5. The appeal is accordingly disposed of.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

23.10.2018
Amodh

whether speaking/reasoned	Yes/No
whether reportable	Yes/No