

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.16480 OF 2018

ORDER

This writ petition is filed seeking the following relief:

“to issue an order or direction more particularly one in the nature of Writ of Mandamus declare the removal orders passed by the 3rd respondent in D.O.No. 689/2017 (No.99/RI/HGO/RCK/2017) is illegal, arbitrary and unconstitutional and set aside the same with a consequential direction to the respondents to consider the claim of the petitioner for reinstatement into service as Home Guard by disposing of his appeal dated 03.10.2017 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstance of the case.”

Heard Sri A.Ravinder, learned counsel appearing for the petitioner and learned Government Pleader for Services appearing for respondent Nos.1 to 3.

It is the case of the petitioner that he was appointed as Home Guard on 19.03.2008 and he is discharging his duties as such. While so, his services were dispensed with *vide* order dated 11.8.2017.

Learned counsel appearing for the petitioner submits that the respondents forced the petitioner to resign from the post of Home Guard; that he submitted a representation to the respondents on 03.10.2017 to consider his case for reinstatement into service as Home Guard; and that

appropriate orders be passed directing the respondents to dispose of the said representation.

Learned Government Pleader appearing for the respondents submits that the petitioner on his own submitted resignation on 11.8.2017 and hence, the question of his reinstatement into service does not arise; and that the petitioner has not submitted any representation on 03.10.2017 as stated by him.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition is disposed of directing the petitioner to submit a representation afresh within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents shall consider the same along with the representation dated 3.10.2017 and pass appropriate orders within a period of six weeks thereafter. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

8th March, 2019
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