

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

CWP No.13269 of 2019 (O&M)

Date of decision:19.07.2019

Parshant Atkaan

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. S.S.Gurna, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

C.M.No.10374 of 2019

The application is allowed, subject to all just exceptions.

Annexure P-8 is taken on record.

CWP No.13269 of 2019

Grievance of the petitioner in present case is that petitioner being HCS Officer, is presently working on deputation with Municipal Corporation, Faridabad as Joint Commissioner of NIT Zone. However, Commissioner, Municipal Corporation, Faridabad vide order dated 10.04.2019 (Annexure P-5) on the basis of unilateral enquiry and information withdrew his powers immediately.

The petitioner is stated to have submitted representations dated 12.04.2019 (Annexures P-6 and P-7) to the Commissioner, Municipal Corporation as he has no powers to pass such order as it vests only with

competent authority i.e. Principal Secretary, Department of Urban Local Bodies, Government of Haryana.

Without going into merit or de-merit of matter and since representations are stated to be pending, I deem it appropriate to dispose of present writ petition with a direction to respondent to decide the representations 12.04.2019 (Annexures P-6 and P-7) by passing a well reasoned and speaking order within a period of one from the date of receipt of certified copy of this order. In case, representations are not decided within aforementioned specified time, there shall be costs of Rs.50,000/- to be paid by the concerned officer to the petitioner.

This Court is sanguine of the fact that reasoning would surface regarding powers of the Commissioner.

July 19, 2019

savita

Whether Speaking/Reasoned

Whether Reportable

(AMIT RAWAL)

JUDGE

Yes/No

Yes/No