

Sr. No.124

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

**CWP No.20259 of 2019 (O&M)
Date of Decision: 24.07.2019**

Sucha Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Rajesh Kumar Girdhar, Advocate,
for the petitioner.

Ms. Anu Chatrath, Senior Advocate with
Ms. Ambika Bedi, AAG, Punjab.

ARUN MONGA, J.(ORAL)

Grievance of the petitioner is that as per record his date of birth is 30.07.1963 and yet he has been summarily discharged from his service on 08.01.2019 without assigning any reasons either verbally or in writing despite the petitioner having asked for the same. He submits that after persistent follow up, the petitioner though not communicated any reasons but was provided a copy of letter dated 19.03.2019 (Annexure P-5) issued by the Office of Additional Director General of Police addressed to the District Commander Wing, wherein it has been stated that he has been discharged from service by taking into consideration the date of his birth recorded at the time of his recruitment.

2. Learned counsel for the petitioner contends that the same is not only factually incorrect but also against the service

record of the petitioner maintained by the respondents. The petitioner pointed out the fallacy by submitting a representation dated 23.01.2019 (Annexure P-2) followed by causing a Legal Notice dated 20.05.2019 (Annexure P-8) through his counsel but the same were not adverted by the respondents. Hence, the writ petition.

3. Notice of motion.

4. On advance service of the petition, Ms. Anu Chatrath, Senior Advocate assisted by Ms. Ambika Bedi, AAG, Punjab appears and accepts notice on behalf of the State.

5. Given the nature of order being passed, there is no necessity to seek return by the respondents as no further proceedings and/or pleadings are required.

6. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to objectively consider the Legal Notice dated 20.05.2019 (Annexure P-8) and also by keeping in view the contentions stated in the present writ petition by treating it as a supplementary representation and pass a speaking order, in accordance with law.

7. Let the needful be done within a period of 6 weeks from the date of receipt of a certified copy of this order.

8. Disposed of in above terms.

(ARUN MONGA)
JUDGE

24.07.2019
vandana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No