

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

**CWP No.21873 OF 2019 (O&M)
DATE OF DECISION: 20.08.2019**

Rakesh Kumar

...Petitioner

versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Ms. Neha Jain, Advocate,
for the petitioner.

ARUN MONGA, J.(ORAL)

Learned counsel for the petitioner, inter-alia, contends that case of the petitioner is squarely covered by the Apex Court judgment in "State of Punjab v. Harbans Lal" which has been followed by this Court in catena of judgments. She also relies on recent judgment rendered by a co-ordinate Bench of this Court in CWP No.24472 of 2015 titled as "Constable Rajesh Kumar and others v. State of Punjab and another" (Annexure P-8). In the premise, the petitioner also caused legal notice dated 05.04.2018 (Annexure P-10) which was never adverted to by the respondents.

2. Notice of motion.

3. On advance service of copy of the petition, Ms. Anu Chatrath, Senior Advocate assisted by Ms. Ambika Bedi, Assistant Advocate General, Punjab accepts notice on behalf of the respondents.

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

5. Without commenting on the merits of the case, the writ petition is disposed of with a direction to respondents to objectively consider the legal notice dated 05.04.2018 (Annexure P-10) 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.

6. Let the needful be done within a period of 8 weeks from the date of receipt of a certified copy of this order.

7. Disposed of in above terms.

(ARUN MONGA)
JUDGE

AUGUST 20, 2019
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No