

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

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CWP No.29866 of 2019

Date of Decision : 28.11.2019

Manisha Kocher and another

....Petitioner

v/s

State of Haryana and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present: Mr. Shiv Charan Bhola, Advocate for the petitioners.

B.S. Walia, J. (Oral)

[1] Learned counsel contends that the prayer of the petitioners in the instant petition is for the issuance of directions to the respondents to permit the petitioners to continue in service till such time regularly selected candidates are not appointed.

[2] Brief facts of the case, leading to the filing of the writ petition are that the petitioners were appointed as Physiotherapist/Senior Programmer on daily wages in October, 2018 against sanctioned vacant posts in the office of respondent No.4 and the petitioners are continuously working till date ever since their appointments in October, 2018 without any break. Learned counsel contends that the petitioners are apprehensive that the service of the petitioners would be replaced by similarly situated daily wagers, therefore, the instant writ petition, praying for a direction that they be allowed to continue in service till such time that they are replaced by regularly selected candidates.

[3] On query, learned counsel clarifies that the prayer for the issuance of a writ of certiorari is due to inadvertence, as the petitioners are still in

service. Learned counsel states that in the circumstances, the petitioners be permitted to withdraw the writ petition, with liberty to file a representation with a direction being issued to the respondents to consider and decide the representation, in accordance with law in a time bound manner.

[4] Without commenting upon the merits of the claim, the writ petition is permitted to be ***withdrawn*** while granting liberty to the petitioners to submit a comprehensive representation to respondent No.3. On receipt of representation, respondent No.3 shall consider and decide the same, in accordance with law within a period of 04 weeks thereafter.

(B.S. Walia)
Judge

November 28, 2019

'Rajneesh'

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No