

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

SMRITI
2019/11/04 12:08
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CWP-31570-2019

Date of Decision: 01.11.2019

Bachittar Singh

... Petitioner

vs.

State of Punjab and Others

.. Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Gagandeep Singh, Advocate, for the petitioner.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

ARUN MONGA, J.(ORAL)

Inter alia issuance of a writ in the nature of *certiorari* has been sought for quashing of order dated 22.06.2018 (Annexure P-5) whereby claim of the petitioner to take him back on the rolls of Punjab Home Guards has been declined.

2. On advance service of copy of the petition, Mr. Mehardeep Singh, Additional Advocate General, Punjab caused appearance on behalf of respondent-State and submits that petition is liable to be dismissed being devoid of merit.

3. Having heard the rival contentions of learned counsels and after perusal of contents of the petition alongwith Annexures appended thereto, I am of the view that no interference is called for in the extraordinary writ jurisdiction vested under Article 226 of Constitution of India.

4. Order, impugned herein, clearly states that the petitioner had joined as a 'Volunteer' in Punjab Home Guards on 25.07.1988. Thereafter, sometime in year 1992 the petitioner absented himself from duty without any intimation to the Department. Due to long absence of the petitioner without any intimation, his name from the roll of Punjab Home Guards was struck off and he was discharged by the District Commander, Amritsar from service on 04.01.1993. In his place, another Guard, namely, Mr. Inderjit Singh was recruited and he continues to perform his duty till date.

5. In the aforesaid premise, petitioner has no vested right to be taken back on the rolls of Punjab Home Guards as he himself voluntarily abandoned his service way back sometime in year 1992.

6. Petition is dismissed being devoid of merits.

01.11.2019
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(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No