

Sr. No.121

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

CWP No.35494 of 2019 (O&M)

Date of Decision: 06.12.2019

Dev Ram

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Subhash Aggarwal, Advocate,
for the petitioner.

Mr. P.S.Bajwa, Additional A.G., Punjab.

ARUN MONGA, J.(ORAL)

1. *Inter alia*, issuance of a writ in the nature of mandamus has been sought seeking direction to the respondents to allow the petitioner to continue discharging his duties as Home Guard/Volunteer as no formal orders were ever passed dispensing with the services of the petitioner some time in the year, 2011.

2. I have heard learned counsel for the petitioner and have perused the contents of the writ petition.

3. Neither there is any appointment letter placed on record as the petitioner contends that no appointment letters were ever issued nor there is any proof appended with the writ petition of having served for 20 years as contended in the writ petition other than the affidavit to the extent.

4. The petitioner has appended Annexures P-1 to P-5,

which are purported to be representations to the competent authority to induct him back into service.

5. Even as per the positive case pleaded by the petitioner that he last served on 04.10.2011 and there is no explanation, worthy of being plausible as to what stopped the petitioner for 8 long years to seek his remedy in case he was illegally marked absent from the roll of Home Guards.

6. Even though this Court is not convinced of the averments contained in the writ petition, however, writ petition is disposed of with an observation that the present writ petition be treated as a representation and upon verification of the contents therein vis-a-vis the service record maintained in the office of District Commandant, Punjab, Home Guards, Patiala, the competent authority may pass appropriate orders as may be deemed fit.

7. Disposed of in above terms.

06.12.2019

vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No