

CWP No.37296 of 2019

Sr. No.129

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

CWP No.37296 of 2019

Date of Decision: 20.12.2019

Kali Charan

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr.Deepak Arora, Advocate,
for the petitioner.

Mr. P. S. Bajwa, Addl. AG, Punjab.

ARUN MONGA, J.(ORAL)

Petitioner herein seeks issuance of a writ in the nature of mandamus directing the respondents to reinstate the petitioner in view of the Judgment rendered by the Hon'ble Supreme Court of India in Civil Appeal No.7904 of 2010, **Davinder Singh and others vs. State of Punjab and others**, (Annexure P-3) and also to quash discharge orders, if any, vide which services of the petitioner was dispensed with by the respondents.

2. Learned counsel for the petitioner also submits that his case is squarely covered by the Judgment passed in CWP No.23751 of 2012 decided on 28.05.2013 contained at Annexure P9.

3. In the premise, petitioner also submitted representation dated 30.10.2019, contained at Anenxure P-10, but the same has not been adverted by the respondents till date. Hence, the writ

petition.

4. Notice of motion.

5. On advance service of the petition, Mr. P. S. Bajwa, Addl. AG, Punjab appears and accepts notice on behalf of the State.

6. 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.

7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the respondents to objectively consider the representation dated 30.10.2019 contained at Annexure P-10, and also by keeping in view the contentions raised in the present writ petition by treating it as a supplementary representation and Judgment *ibid*, and pass a speaking order, in accordance with law.

8. Let the needful be done within a period of 3 months from the date of receipt of a certified copy of this order.

9. Disposed of in above terms.

20.12.2019

dharamvir

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No