

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

**CWP No.715 of 2020 (O&M)
Date of Decision:18.02.2020**

Ramphal

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Anurag Goyal, Advocate for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

TEJINDER SINGH DHINDSA J.(Oral)

Instant writ petition is directed against the order dated 20.12.2019 (Annexure P-7) and whereby the petitioner who was working as Peon on contractual basis with respondent No.3-College stands relieved.

Learned counsel would vehemently argue that the petitioner had served since the year 2011 and since the service record has been without blemish, petitioner ought to be adjusted against any other vacant post. Heavy reliance is placed on the impugned relieving letter dated 20.12.2019 itself to seek adjustment against any other vacant post.

Counsel has been heard at length.

The uncontroverted factual premise is that the relieving letter dated 20.12.2019 (Annexure P-7) has been issued on account of a regular incumbent having joined on the post. The action of the respondent authorities in having relieved the petitioner under such circumstances, as such does not suffer from any patent infirmity.

Undoubtedly, while issuing the relieving memo at Annexure P-7 the Principal of the College apparently has made a recommendation to the Director, Higher Education, Haryana to adjust the petitioner in any other Government college against the backdrop that he had served on the post of Peon on contractual basis from the year 2011 till 20.12.2019.

In the considered view of this Court a mandamus cannot be issued to enforce the recommendation made by Principal and as contained in the relieving letter at Annexure P-7.

In view of the above and while declining to interfere, writ petition is disposed of.

It would however be open for the petitioner to pursue the matter as regards his adjustment in the light of the recommendation contained in the relieving letter dated 20.12.2019 (Annexure P-7).

(TEJINDER SINGH DHINDSA)
JUDGE

February 18, 2020
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No