

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

215 - CWP No.12678 of 2020

Date of Decision: 23.09.2020

Mohanpreet Singh

... Petitioner

VS.

State of Punjab & Anr.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. TN Sarup, Advocate for the petitioner

Mr. Navdeep Chhabra, DAG Punjab

GIRISH AGNIHOTRI, J. (Oral)

(1) The petitioner Mohanpreet Singh has filed the present writ petition *inter alia* praying for issuance of a writ in the nature of *mandamus* directing the respondents to issue appointment letter to the petitioner.

(2) Record shows that on 25.08.2020 notice of motion was issued and the State was granted time to file reply. On behalf of State, reply has not been filed, however, some more time is sought for.

(3) Learned counsel for the petitioner, on the other hand, submits that he has instructions to submit that apparently, the only ground for not issuing the formal appointment letter to the petitioner was that the State was awaiting its own decision to adopt or to modify the Central Pay Commission report. He submits that during the pendency of the present writ petition, the State has taken a decision to adopt the Central Pay Commission report. He, therefore, submits that since apparently, this was the only reason for not issuing the appointment letter, the present writ petition can be disposed of with a direction to the respondents to issue formal appointment letter to the petitioner.

(4) This Court in view of the submission made by learned counsel for the petitioner, deems it appropriate to dispose of the writ petition with the following directions:-

- (i) the competent authority, considering the merit position of the petitioner, may expeditiously take a decision on the request of the petitioner for issuance of a formal appointment letter.
- (ii) the competent authority while taking a decision would also give due consideration to the letters (P3 & P3A) wherein the petitioner on 19.07.2019 itself was told to get his medical examination done from Civil Surgeon, Gurdaspur and regarding verification of character and antecedents. At this stage, learned counsel for the petitioner submits that vide letter dated 22.08.2019 (P4), the office of SSP, Gurdaspur has already conveyed to the District Magistrate, Gurdaspur that there is nothing adverse against him.
- (iii) in case the competent authority finds that the petitioner is entitled to be appointed and there is no other legal impediment, let formal orders be issued within a period of one month from the date of issue of present order. It is also directed that the competent authority shall also consider and grant consequential benefits.

(5) Considering the present situation due to COVID-19, learned State counsel and the Registry are directed to send an email to the concerned authorities for necessary compliance.

(6) The writ petition stands disposed of accordingly.

23.09.2020

Vvishal

(Girish Agnihotri)
Judge