

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114)

CWP no.17054 of 2020

Date of Decision: 14.10.2020

Jeet Ram

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Alankrit Bhardwaj, Advocate,
for Mr. Namit Kumar, Advocate, for the petitioner.
Mr. RKS Brar, Addl. Advocate General, Haryana.

Amol Rattan Singh, J. (Oral)

All the cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, filed under the provisions of Article 226/227 of the Constitution of India, the petitioner seeks issuance of a writ in the nature of certiorari, quashing the letter dated 16.03.2020 (copy Annexure P-4), whereby the claim of the petitioner for regularization w.e.f. an earlier date has been rejected, by passing a totally cryptic and non-speaking order.

Though learned counsel for the petitioner is not either visible or audible due to some connection issue on his side, however, a perusal of the impugned order dated May 16, 2020 does show that it is wholly a cryptic order, which simply refers to the instructions on the basis of which the petitioners' claim has been rejected, but does not give any detailed reasons as to what part of the instructions has been violated.

Consequently, without making any comment on the actual merits of the case, this petition is allowed to the extent that the impugned

order is set aside, but with the liberty to the competent authority amongst the respondents to pass a detailed speaking order, giving therein complete reasons as to why the petitioners' claim for regularization cannot be entertained.

It is made clear that in view of the fact that there are various judgments of the Supreme Court on the issue, this court has not made any comment on the merits of the claim of the petitioner, or otherwise.

The said order be passed within a period of three months from the date of receipt of a certified copy of this order.

14.10.2020
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No