

113 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.14850 of 2020
Date of Decision :18.09.2020

Hardip Singh

...Petitioner

Versus

Union of India and another

...Respondents

(Through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Jatinder Singh Gill, Advocate
for the petitioner.

Mr. Shivoy Dhir, Advocate
for respondent-UOI.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed with a prayer that respondent No.1, to whom the petitioner had filed statutory appeal dated 29.01.2020 (Annexure P-26) against the order dated 23.01.2020 (Annexure P-25), by which, the services of the petitioner were terminated, be directed to decide the said appeal, which is pending for the last more than seven months.

Learned counsel for the petitioner argues that on the one hand the appeal filed by the petitioner is being kept pending and on the other hand the post, from which the services of the petitioner were terminated, has been advertised by the respondents. Prayer of the petitioner is that a direction be issued to respondent No.1 to decide the statutory appeal filed by him in a time bound manner by passing an appropriate speaking order.

Notice of motion.

Mr. Shivoy Dhir, Advocate, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition accepts notice on behalf of respondents No.1 and 2.

Learned State counsel submits that the respondents have no objection, in case a direction be given by this Court for deciding the statutory appeal dated 29.01.2020 (Annexure P/26) in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondent No.1 is directed to decide statutory appeal dated 29.01.2020 (Annexure P/26) preferred by the petitioner by passing an appropriate speaking order within a period of six weeks from today.

It will be appreciated, if the appeal is decided prior to the finalization of the selection for the post on which the petitioner was working so as to avoid creating 3rd party rights.

September 18, 2020
aarti/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes/No*
Whether reportable? *Yes/No*