

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

**CWP No.20376 of 2020
Date of Decision: 01.12.2020**

Amit Kumar

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Jasbir Mor, Advocate,
for the petitioner.

Ms. Ranjana Shahi, Additional A.G., Haryana.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petitioner herein seeks issuance of a writ in the nature of mandamus directing the respondents to adjust him against the vacant post of clerk in Government College Ambala Cantt. Alternatively, in any other nearby college on contractual basis in view of the letter dated 06.11.2020 issued by the Chief Secretary to Government of Haryana (Annexure P-14).

2. Learned counsel for the petitioner submits that petitioner was appointed on the post of Clerk under the outsourcing policy on contract basis vide order dated 11.03.2017. On joining of regular appointee, he was relieved from service on 03.10.2018.

3. Learned counsel for the petitioner further submits that number of posts of clerks are lying vacant in the different colleges of Panchkula, Ambala and other districts and as per government circular, he can be adjusted in any nearby college. In the premise, petitioner submitted a representation dated 03.10.2018 (Annexure P-10) followed by legal notice dated 22.10.2020 (Annexure P-13) to the respondents but the same have not been adverted to by the respondents till date. Hence, the instant petition.

4. Learned counsel for the petitioner submits that he would be satisfied, at this stage, if instant petition is to be disposed of with a direction to take a final decision on his legal notice dated 22.10.2020 (Annexure P-13) within a stipulated time frame.

5. Given the nature of order being passed, there is no necessity to seek return by any of the respondents, therefore no notice is being issued to the respondents.

6. Without commenting anything on the merits of the case, writ petition is disposed of with a direction to the competent authority to look into the legal notice dated 22.10.2020 (Annexure P-13) and also by keeping in view the Instructions of the Government dated 06.11.2020 contained at Annexure P-14 and decide the same by passing a speaking order, in accordance with law.

7. Let the needful be done within a period of 2 months from today.

8. Disposed of accordingly.

DECEMBER 01, 2020

vandana

(ARUN MONGA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable

Yes/No