

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

116

CWP No.33833 of 2019

Date of Decision : 27.01.2020

Shri Niwas

....Petitioner

v/s

Dakshin Haryana Bijli Vitran Nigam (DHBVN), Hisar
and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present: Mr. Raman B. Garg, Advocate and
Ms. Gitanjali Chhabra, Advocate
for the petitioner.

B.S. Walia, J. (Oral)

[1] Prayer in the writ petition under Article 226/227 of the Constitution of India is for the issuance of a writ of certiorari for quashing order (Annexure 18) dated 19.06.2019, suspending the petitioner for the second time, after award of two punishments vide orders (Annexures P-14 and P-17) dated 14.01.2019 and 11.06.2019. Prayer is also for the issuance of a writ of mandamus for directing the respondents to regularize the previous suspension period of the petitioner from 22.10.2016 to 30.12.2016 in the light of order (Annexure P-1) dated 22.10.2016 by treating the said period as regular period of service for all intents and purposes.

[2] Learned counsel contends that the petitioner has served legal notice (Annexure P-20) dated 18.08.2019 in respect of the grievances, which are the subject matter of the writ petition but the claim made therein had not been decided, till date and that in the circumstances, the petitioner would be satisfied, if the writ petition is disposed of by directing respondent No.2 to

consider and decide the claim made in the legal notice (Annexure P-20) dated 18.08.2019, in accordance with law in a time bound manner.

[3] Notice of motion to respondent No.2 only.

[4] Mr. Ashish Yadav, Advocate, accepts notice on behalf of respondent No.2 and waives service and states that he has no objection to the limited prayer of learned counsel for the petitioner.

[5] In view of the position as noted above and without commenting upon the merits of the claim or the entitlement of the petitioner to the relief claimed, the writ petition is ***disposed of*** by directing respondent No.2 to consider and decide the claim made in the legal notice (Annexure P-20) dated 18.08.2019, in accordance with law, after taking into account all aspects of the matter, as expeditiously as possible, preferably within a period of 03 months from the date of receipt of certified copy of the order.

(B.S. Walia)
Judge

January 27, 2020
'Rajneesh'

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No