

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

CWP-11600-2021

Date of Decision: 02.07.2021

JAGRITI DEVI

...PETITIONER

V/S

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. R.P.Dangi, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

(Presence marked through Video Conference)

-.-

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of mandamus directing the respondents to regularize her absence period from work w.e.f. 20.03.2007 to 20.05.2007 with all consequential benefits.

2. Learned counsel for the petitioner submits that petitioner, working as Multi Purpose Health Worker, proceeded on leave due to illness on 06.01.2006. When she returned to join her duties on 12.03.2007, she was told to bring a permission from the Directorate. Vide letter dated 16.05.2007, office of the Director General, Health Services, Haryana, Panchkula granted her permission to join duties with the condition that she shall produce her Fitness Certificate and Medical Certificate from Medical Superintendent, PGI, Rohtak. Petitioner then obtained the requisite Fitness Certificate from PGI and joined her duties on 21.05.2007.

3. Later on, vide a letter dated 29.04.2014, the Directorate of Health Services, Haryana sanctioned her Leave Without Pay from 01.06.2006 to 19.03.2007 as per the order of learned Civil Judge, Rohtak.

4. Learned counsel further submits that on 19.02.2020, Senior Medical Officer, Sub Division Civil Hospital, Assandh (Karnal), where the petitioner was working wrote a letter to the Deputy Civil Surgeon, Karnal with a request to get a decision of the directorate on the absence period of the

petitioner w.e.f. 20.03.2007 to 20.05.2007, so that her services can be verified.

He submits that despite the letter/recommendation of the Senior Medical Officer on 19.02.2020, no decision is being taken and the petitioner apprehends that she will be denied the service benefits qua the said period, at a later stage. In the premise, petitioner caused issuance of legal notice dated 05.04.2021 (Annexure P-6) but to no avail. Hence, the instant petition.

5. Notice of motion.

6. Learned State counsel, joins proceedings on advance service and accepts notice on behalf of the respondent-State of Haryana.

7. At this stage, learned counsel for the petitioner submits that let a final decision is taken, either way, by the respondents on the pending legal notice dated 05.04.2021 (Annexure P-6), giving reasons thereof.

8. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

9. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioner as per legal notice dated 05.04.2021 (Annexure P-6) and also by keeping in view the contentions raised in the present petition by treating the same as supplementary representation and take a decision, in accordance with law.

10. Let the needful be done within a period of three months from today.

11. Disposed of accordingly.

(ARUN MONGA)
JUDGE

July 2, 2021
Vandana

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