

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

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**Civil Writ Petition No.14931 of 2021 (O&M)
Date of Decision: August 06, 2021**

Ankit Kumar

.....Petitioner.

VERSUS

State of Haryana and others

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE G. S. SANDHAWALIA

Present: Mr. Kuldeep Sheoran, Advocate
for the petitioner.

Ms. Kirti Singh, D.A.G. Haryana.

(The proceedings are being conducted through video
conferencing, as per instructions)

G.S. SANDHAWALIA, J.(Oral)

Present Civil Writ has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus, directing the respondents to issue the experience certificate and No Objection Certificate to the petitioner for submitting the application for the post of Assistant and sanction the paternity leave for a period of 15 days from 27.10.2020 to 20.11.2020 to the petitioner in terms of Rule 47 of Haryana Civil Services (Leave) Rules 2016.

Perusal of the paper book would go on to show that the petitioner's contract was only extended till 30.06.2021 (Annexure P-6).

Counsel for the petitioner fairly submits that thereafter, no extension has been granted.

In such circumstances, this Court is of the opinion that the relief of 'No Objection Certificate', which is being sought, is without any basis.

Counsel for the State has also drawn the attention of this Court towards reply to the legal notice dated 08.01.2021 now placed on record to point out the absence of petitioner for almost four months on two occasions each from 04.10.2019 to 23.01.2020 and 11.11.2020 to 10.03.2021.

Faced with the situation, counsel for the petitioner submits that for the period from 15.09.2020 to 29.09.2020, he wanted to avail paternity leave and had applied for the same vide his application dated 27.07.2020 (Annexure P-13), which still remains pending.

Accordingly, the writ petition is disposed of with direction to respondent No.3 to take action on the representation dated 27.07.2020 (Annexure P-13) and also on issue of the necessary experience certificate.

Needful be done within four weeks on receipt of certified copy of this order.

August 06, 2021

Sachin M.

**(G. S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*