

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

**CWP-15365-2021
Date of Decision: 12.08.2021**

Jitender and others	Versus	...Petitioners
State of Haryana and others		...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

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

Ms. Rajni Gupta, Additional A.G., Haryana.
(Presence marked through Video Conference)

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ARUN MONGA, J. (ORAL)

Petitioners herein, inter alia, seek issuance of a writ in the nature of mandamus directing the respondents to re-adjust the petitioners in ESI Dispensary, Gurugram or any other place/dispensary against the vacant post of Clerk under Outsourcing Policy-Part-II of the Government in terms of the instructions dated 02.02.2019 and 13.06.2019 (Annexures P-12 and P-13).

2. Learned counsel relies on orders of this Court passed in CWP No.15491 of 2020 and CWP No.3177 of 2021 contained at Annexures P-20 and P-23, respectively. He submits that qua their aforesaid grievance, petitioners caused issuance of a legal notice dated 03.04.2021 (Annexure P-18) but to no avail. Hence, the writ petition.

3. Notice of motion.

4. Learned State counsel, on advance service, joins proceedings and accepts notice on behalf of the respondent-State of Haryana. He states that competent authority shall take appropriate decision on the pending legal notice dated 03.04.2021 (Annexure P-18).

5. At this stage, learned counsel for the petitioners also agrees that let a final decision be taken, either way, by the competent authority on the pending legal notice dated 03.04.2021 (Annexure P-18), giving reasons thereof.

6. 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.

7. 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 petitioners as per legal notice dated 03.04.2021 (Annexure P18) 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 by keeping in mind Instructions contained at Annexures P-12 and P-13 and the decision rendered by this Court in CWP No.15491 of 2020 and CWP No.3177 of 2021 (Annexures P-20 and P-23).

8. Let the needful be done within a period of 3 months from today. In case, favorable order is passed, benefit thereof be accorded to the petitioners within a period of 30 days thereafter.

9. Disposed of accordingly.

(ARUN MONGA)
JUDGE

12.08.2021

vandana

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No