

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

121

CWP-15780-2021

Decided on : 17.08.2021

Manish Kumar

... Petitioner

Versus

State of Haryana & others

... Respondents

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

Present: Mr.Vijay Pal, Advocate, for the petitioner.

Ms.Kirti Singh, DAG, Haryana.

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

G.S. Sandhawalia, J. (Oral):-

The petitioner in the present writ petition filed under Article 226 of the Constitution of India seek directions to adjust him with respondent No.4- College, as per the guidelines dated 11.09.2019 & 29.11.2019 (Annexures P-5 & P-8).

It is the case of the petitioner that he was working as a Guest Lecturer in the subject of Mechanical Engineering Department in GGS Government Polytechnic, Cheeka since 01.08.2011. His services were dispensed with on 17.06.2021. It is his claim that as per Clause 4 of the instructions (Annexure P-5) surplus Guest Faculties have to be adjusted in other Polytechnic/Engineering College, depending upon the availability of the workload. Similar instructions have been appended as Annexure P-8.

It is submitted that representation dated 25.06.2021 (Annexure P-13) has been filed, bringing to the notice of respondent No.4 who is the Principal (Cluster Head) that 2 Regular Faculties have been shifted from respondent No.3-Institute and thus, there are vacancies available. Similarly, one Head of the Mechanical Engineering Department has expired and therefore, petitioner is liable to be adjusted with respondent No.3 or elsewhere, keeping in view the above guidelines.

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121

CWP-15780-2021

-2-

Counsel for the petitioner submits that he would be satisfied if a decision is taken on the said representation in a time-bound manner. He further submits that he does not press the prayer for releasing of the salaries for various periods, as claimed in the writ petition, with liberty to approach the competent authority, for the said benefit.

Notice of motion.

Ms.Singh accepts notice on behalf of the respondents.

Keeping in view the limited controversy as such and since the decision making is still incomplete, no useful purpose will be served to call upon the respondents for filing reply, as it would cause further delay in deciding the proceedings.

Accordingly, without commenting on the merits of the case or the entitlement of the petitioner, the present petition is disposed of with the direction to respondent No.4 to take a decision on the representation dated 25.06.2021 (Annexure P-13) within a period of 6 weeks from the receipt of the certified copy of this order. In case the petitioner is held entitled for the relief sought, the effect of necessary benefits be implemented, thereafter. In case there is any legal impediment and the relief is to be denied, speaking order be passed and communicated to the petitioner.

AUGUST 17, 2021

Sailesh

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

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No